NRA CODE

The Nation

FOUNDED 1865

Vol. CXL NEW YORK, WEDNESDAY, JUNE 12, 1935 No. 3649

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THE NATION. Published weekly at 20 Vesey St., New York. Entered as second-class matter December 13, 1887, at the Post Office at New York, N. Y., and under the Act of March 3, 1879. Copyright, 1935, by The Nation, Inc.
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THE PRESIDENT, in deciding to carry the issue of national government to the country, shows real courage. It is a political decision, and politics is a domain which he understands. His want of courage in economic and social fields is due primarily to his sense of uncertainty. He was urged by nearly all his right-wing and middle-of-the-road advisers to patch up his legislative program as best he might after the Schechter ruling. His left-wing advisers pressed him to lay the question of social legislation before the people, and he was ready, even eager, to make the challenge. Since a fight for the NRA would not rouse the country, the President, in his historic press conference of May 31, took the broader line that the Supreme Court had struck down nearly the entire New Deal legislation, throwing into doubt the validity of social insurance, the holding-company bill, the AAA, the TVA, and even the control over Wall Street securities. This may not be true to the last detail, as Supreme Court language is anything but sharply defined. But it is philosophically true, and the President did not exaggerate in calling the Schechter ruling the most important since the Dred Scott decision. Having chosen to oppose the doctrine of decentralization—and so swung himself free of Brandeisism—the President now must map out the most important of his campaigns. One suggestion is that he ask legislation requiring that the Supreme Court rule on all the New Deal legislation this summer. Then on the basis of the court's rulings he can summon a special session of Congress in the autumn and proceed to amend the Constitution.

ANOTHER POSSIBILITY is to do nothing for a time, and let the country record the effects of the breakdown of federal supervision of business. With the demise of the NRA a rugged individualism is due to break out in some of its most extreme manifestations. Competition will return in its sharpest form, and widespread wage reductions will be inevitable. Even before this registers in any large way there will be first-class labor troubles. A national coal strike this month seems inevitable, and the longshoremen's volcano on the Pacific Coast is near eruption again. Wage reductions will give cause for strikes in all sections of the country. In the meantime business will decline and stock-market prices will drop. The President may say that this is Republican juice and the country had better stew in it for a time to see whether it likes it. Then in the autumn he can call his special session of Congress, drive through a constitutional amendment, and if he adopts the plan of ratification conventions, he can have a national plebiscite and be ready to renew constructive legislation after the next election. This would make the next campaign extraordinarily important and dramatic. We favor a constitutional amendment depriving the Supreme Court of the veto over national legislation, and discuss this on another page, but we imagine the President will prefer a specific amendment which authorizes only his social program. At the same time he may try to hold his personnel in Washington by asking legislation which will keep the NRA and other agencies intact under a limited mandate. The President cannot complain about his luck. The Supreme Court has given him a new chance to assert his leadership after he himself has forfeited many golden opportunities. We think that he now has the best issue of his career.

PRESIDENT ROOSEVELT'S admission that the Schechter decision puts in jeopardy the entire program of New Deal legislation gives dramatic significance to the appearance of Frederick H. Wood as associate counsel to the Schechters in the final stages of the case. Joseph Heller, a young attorney only ten years out of law school, prepared and argued the case single-handed in the two lower courts—when it was a run-of-the-mill action of no apparent importance. But shortly after the government agreed to make it the supreme New Deal test Mr. Wood quietly entered the picture. The exact circumstances of his entrance have not been made public although sensational rumors are current in legal circles. Mr. Heller, when interviewed last week, maintained that he himself had "invited" Mr. Wood into the case because he had "known Mr. Wood for some years" and because he "had only three weeks to prepare the argument for the Supreme Court." Mr. Heller admitted, however, that Mr. Wood had rendered his services to the Schechter brothers "gratis." Mr. Wood is a partner in the law firm of Cravath, DeGersdorff, Swaine, and Wood, whose regular fees for services of this kind would be far

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beyond the modest resources of the Schechter brothers. To persons unaware of Mr. Wood's other connections his free service might seem an act of impressive altruism. The cynical, however, might question this interpretation, recalling that among the clients of the house of Cravath are such firms as the Bethlehem Steel Company and Kuhn, Loeb and Company, and among the directorates held by its partners are the Chase National Bank, the Westinghouse Electric Company, the Radio Corporation of America, and the National Broadcasting Company. Mr. Wood, described in the New York *Times* as "Schechter counsel who won the NRA case," was reported as particularly gratified that "the federal government was not empowered, under the guise of regulating interstate commerce, to regulate the conduct of persons engaged in trade and industry." Presumably the paying clients of Cravath, DeGersdorff, Swaine, and Wood feel the same way about it.

MEMBERS of the National Association of Manufacturers are privately complaining because the campaign against the Wagner labor-disputes bill, which cost the association $250,000, turned out to be so ineffective, and renewed pressure is being brought to emasculate it in the House. Arthur Young, vice-president of the United States Steel Corporation, has stated publicly that he would rather go to prison than implement the law. Mr. Young will be remembered by our readers for the letter we published revealing the strategy by which Public Resolution 44 was substituted for the Wagner bill of last year. Mr. Young, as a conscientious objector to industrial democracy, has a right to go to prison, but we imagine that he has other cards up his sleeve. Disturbing evidence of the influence of the Young school in the White House has been seen recently. The President casually told the press that the Wagner bill was being studied with an eye to changes. What was under consideration was an amendment leaving prosecutions under the law to the Department of Justice instead of giving the labor board the right to take its own cases to court. The change probably can be sidetracked, but it reveals the President in an unfavorable light. When it comes to labor relations he is too willing to consider recondite devices which make it easier for employers to fight their men. Senator Wagner and others in Washington favoring his bill insist, however, that the outlook for the measure in the House is promising, though it may be held up if a national issue is made of social legislation as a whole. They also believe that only a few verbal changes need to be made in the bill to satisfy the Supreme Court.

JAPAN'S LATEST DEMANDS on China are significant chiefly as an indication that the Japanese military elements have gained definite ascendancy over the civilian authorities. Nothing has occurred in Sino-Japanese relations which in itself offers the slightest explanation of the recent turn of events. North China has been in effect if not in name completely under Japanese domination since the signing of the Tangku truce two years ago. All anti-Japanese agitation has been ruthlessly suppressed by local Chinese authorities. The Blue Jackets, a secret terrorist society maintained by Chiang Kai-shek, have openly assassinated Chinese leaders who were suspected of anti-Japanese activity. Recent dispatches from Tokyo confirm the fact that Nanking has fully capitulated to the comprehensive list of demands presented by Japan early this spring. Since hundreds of residents of North China have been killed or imprisoned for opposing Japanese aggression, it is at least slightly ironical that the military faction should seize upon the murder of two pro-Japanese newspaper editors in Tientsin as a pretext for their current demands. In addition to insisting that the assassins of the Chinese editors be handed over to them under the Boxer protocol, the Japanese militarists are asking for the removal of General Yu Hsueh-chung, head of the Hopei provincial government, the transfer of all troops under Nanking's control, and the abolition of the official Kuomintang Party. Should Chiang Kai-shek grant these demands, the whole of North China will be included in the so-called demilitarized zone and brought even more effectively under Japanese control. This in itself would seem to be a paper victory if it were not for disquieting reports of renewed Japanese military preparations in Inner Mongolia—which suggest that China is not the primary objective of Japanese imperialist aspirations.

THE AGREEMENT between the Abyssinian and Egyptian governments regarding the construction of an irrigation project at Lake Tsana may turn out to be a more effective curb on Italian aspirations in North Africa than any action taken at Geneva. Up until the present British sympathies have rather clearly lain with Mussolini, presumably because of the existence of an earlier understanding in which Italy recognized Britain's special interest in the Lake Tsana region. This situation has been completely reversed by the recent agreement. Instead of profiting by the defeat of Abyssinia, Britain now has everything to gain by the maintenance of peace and order. It is even possible that the vigor of Captain Eden's recent stand at Geneva was not unaffected by advance knowledge of the negotiations on the Lake Tsana issue. In addition to gaining a possible ally, Abyssinia receives needed financial assistance in the form of a down payment of $250,000 and a promise of from $100,000 to $125,000 annually for an unlimited period. This is but a drop in the bucket compared to the cost of fighting a modern war, but it will not be overlooked entirely by Signor Mussolini.

THE COPELAND food-and-drugs bill has at last passed the Senate, though not in a form to cause much rejoicing among its original sponsors. To be sure, it provides much-needed control over cosmetics, devices, and advertising; requires the listing of ingredients on food and drug labels; authorizes legal standards for foods and tolerances for poisons in foods; and eliminates both the notorious joker in the Wiley law, whereby the government has had to prove intent to defraud in the misbranding of patent medicines, and the "distinctive name" clause, which has enabled food fakes to get by under fanciful trade names. To this extent it is a distinct gain over the present statute. But the government's newly won right to enjoin from repeated offenses hardly compensates for the restrictions on "multiple seizures" insisted upon by Senators Bailey and Clark. This infamous attempt to rob the measure of real effectiveness forbids more than one seizure in the case of misbranding unless the product is "imminently dangerous to health," thus permitting the distribution of unlimited quantities of seriously misbranded goods during the months, or even years, the issue is await-

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ing trial. Further consideration is shown the malefactor in the provision that in all cases of seizures the trial may be held in the manufacturer's home district if he so wills—a privilege which might result in the government's inability to protect the rest of the country from abuses arising in a district where the federal judge is not impressed with the need for consumer protection as opposed to commercial license. No provision is made for establishing quality standards for foods, for licensing medicine makers, or for voluntary inspection. The bill now goes to the House Committee on Interstate and Foreign Commerce, where, unless consumers raise their voices in protest, it stands a good chance of further emasculation, if indeed it gets any attention at all.

GRANVILLE HICKS'S "RELEASE" from his post of assistant professor of English at the Rensselaer Polytechnic Institute bears all the signs of another flagrant violation of academic freedom. The Institute's claim that "the necessity for immediate retrenchment" forced it to take this step does not explain why the retrenchment began with Mr. Hicks. The facts seem to be plain enough. Mr. Hicks is a Communist and the literary editor of the *New Masses*. His superiors admit that he is a good teacher and an able scholar. The administration on two occasions "discussed" his political views with him, but took no action. Apparently the trustees, nearly all of whom are high officials in large engineering and manufacturing companies, were uneasy about having a Communist in their midst, but did not know what to do about him until "the necessity for immediate retrenchment" offered them an excellent excuse to get rid of him. This excuse, to quote the *Rensselaer Polytechnic,* the student weekly, is "an arrant smoke screen." The statement of Edwin S. Jarrett, acting president, that he "will absolutely not meet committees from any organizations," including the American Civil Liberties Union, seems to confirm this view.

THE CLOSING of the school year has been the signal for a veritable wave of dismissals, suspensions, and other disciplinary measures against pacifists and radicals in colleges throughout the country. One of the most flagrant instances has been the discharge of Dr. Winslow N. Hallett, professor of psychology and mathematics at Cedar Crest College, Allentown, Pennsylvania. Dr. Hallett was treasurer of the local chapter of the American Federation of Teachers and was active in the Lehigh County Unemployed League. While the college authorities have consistently refused to state the reason for his dismissal, it is admitted that his professional competence and intra-mural activities were not in question, leaving the obvious inference that his pro-labor sympathies were the only cause of complaint. Appeals by liberal groups for an open hearing of the case before the board of trustees have thus far been ignored. Another bitter fight is under way at Omaha University, where reactionary elements are threatening to force out a liberal president together with a group of progressive faculty members. But most disquieting of all is the expulsion of six students from the College of Physicians and Surgeons of Columbia University on the ground that they had broken that institution's "rules and regulations." Again no specific explanation was given, but the fact that all six students were members of the college anti-war committee, to which the three technicians and two instructors who were recently discharged also belonged, suggests that an active interest in peace constituted their offense. The president of the university is head of the Carnegie Endowment for International Peace and recipient of the Nobel Peace Prize. We wonder if he will be the next to feel the official ax. Or is his a different variety of peace?

COOPERATION between legionnaires and law-enforcement officers has become an accepted part of America's pattern of emerging fascism. In Chattanooga, Tennessee, this unholy alliance recently demonstrated its valor in defense of reaction by hounding fifty-nine delegates to the All Southern Conference for Civil and Trade-Union Rights out of town and across the Hamilton County line. Since no resistance was offered, the legionnaires and officers were deprived of the opportunity of waging a genuine battle for the status quo. But they did their best. Wiley Couch, six-foot political boss of the county, assaulted a Nashville minister, secretary of the General Board of Christian Education of the Methodist Episcopal Church South, who had committed the indiscretion of asking Mr. Couch why the officers and legionnaires had assembled. The legion had successfully exerted pressure on the Odd Fellows and Negro Pythians to refuse the conference the use of their halls, and when the conference finally met, in a Negro beer hall, the delegates were greeted by a mob of twenty-five policemen, four detectives, and about thirty-five legionnaires. The defenders of law and order then hustled the delegates over the county line and took their stand at a crossroads to guard the border. The delegates, however, doubled back by another road and successfully held their conference at Monteagle, some 120 miles away. The Chattanooga *News* committed lèse majesté by printing the facts as they occurred, rapping the American Legion editorially, and printing without comment the First Amendment to the Constitution and a section of the Declaration of Independence.

THE ELECTRIC-POWER BATTLE in New York City is rapidly approaching a crisis. Determined to push through his plan for a municipal "yardstick" plant, Mayor LaGuardia recently presented to the Board of Estimate a resolution to apply to the federal government for a $45,000,000 construction loan. The board immediately defeated it. Borough Presidents Harvey of Queens, Lyons of the Bronx, and Ingersoll of Brooklyn voted no on the general theories that the proposed plant would become a "political football" and that private companies could always supply cheaper power than those owned and operated by municipalities. Both contentions have been abundantly disproved, notably in Cleveland, where the municipal plant furnishes electricity at a rate 40 per cent lower than that current in New York. The reductions recently offered by the Consolidated Gas Company, as was pointed out in *The Nation* last week, are farcical. They discriminate in favor of the commercial and wholesale consumers and offer almost no relief to the large body of household consumers. New York has for many years paid too much for its power, and we hope that Mayor LaGuardia persists in his effort to obtain a power "yardstick" for the city. If the forces in Tammany, aided and abetted by the Consolidated, continue to balk him, he should submit the whole issue to a vote of the people in accordance with the provisions of the Dunnigan Act.

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A Constitutional Plutocracy

THE upshot of the Supreme Court decisions in the railroad-pensions and the Schechter cases is that full self-government by the people of the United States becomes impossible. This is true despite the constitutional powers of the federal government not affected by these rulings. Our national life is dominated by agriculture, mining, industry, and commerce. Unless they can be controlled by the nation, the government of the country virtually passes to them. The Supreme Court has said that the government must remain, except in a limited field of unquestionable interstate commerce, with the forty-eight states. However correct this may be in theory, in actuality it means the delivery of the nation to its business interests, since the control of business is beyond the power of state legislation. We wish we might assume that the court, in coming to a unanimous decision, had merely decided to put an end to the word-play made necessary by trying to adapt an archaic document to modern conditions. But we are sure this is not what it intended. The four conservative justices were by predilection against the New Deal, and the five liberal and semi-liberal justices lined up with them because they were overcome by a desire to save America from centralization, perhaps with an eye on Hitler, Mussolini, and Stalin. At any rate, they thought they were making a historic decision, as indeed they were. But we are not convinced it was an inevitable one. We think the Constitution might have been amended by interpretation, as it often has been, without injury to the principles of democracy. When the Constitution was written, the country, as the President put it, was in the horse-and-buggy age. The sprawling American commonwealth, in terms of intercommunication, was as vast as the whole world today. Parts of it were as distant as Washington now is from Abyssinia. In such conditions state government was not a theory but a crying necessity. Unless it was adequate, there could be no effective government whatever.

The Constitution was conceived in terms of social preservation. The interstate-commerce provision was written not to endow the federal government with power over a unified and coherent people but to prevent the states from setting up tariffs and going into a further isolation. It is, we admit, utterly reasonable for the Supreme Court now to rule that this intention did not include the creation of a centralized national government. "It is not in the province of the court to consider the economic advantages or disadvantages of such a centralized system," it says in the Schechter case. "It is sufficient that the federal Constitution does not provide for it." But while this is logical, we repeat it is not inevitable. The history of the Supreme Court is replete with instances in which great ingenuity has been shown in finding legal warrant for doing what was necessary under circumstances which were not foreseen when the Constitution was written. The boast of the advantages of the American system of government has been that the Constitution, though conceived in another age, had been flexible, and that it did not hamper democracy. Indeed, the American has been taught that democracy is as well preserved by our Constitution as by Great Britain's unwritten constitution.

What the Supreme Court now implies is that democracy no longer is possible under the Constitution, that there can be no national self-government in an industrial age, when every part of the nation is closely interrelated with every other part, since the Constitution did not foresee the coming of that age and did not provide for it. While we believe that the interstate-commerce provision of the Constitution could have been made to fit the national needs today, it is idle to haggle over this aspect of the matter. The ruling has been made, and our democracy is gone unless we safeguard it in some other manner.

We must point out that the portion of the Schechter decision which is important is not the one dealing with the undue delegation of authority to the President. That is a high-sounding matter and has been accepted by many as being the crux of the decision, since it defeated the effort of the President to increase his executive power. But this is a question of drafting the legislation properly. Congress failed in the NRA legislation, as in the oil code, to define the purpose of the act closely enough, and it vested the President with too much discretion. A future act could be made constitutional without in the slightest limiting its scope or effectiveness. The law simply has to be explicitly written. The fateful portion of the Schechter decision is its denial to the federal government of control over labor standards. This, in conjunction with the railroad-pensions ruling, has taken social legislation out of the domain of the federal government unless approached through the power of taxation, and even this approach is in doubt.

How can the situation be met? Met it must be, for without action we are confirmed as the serfs of big business. The concentration of wealth and industry in few hands has proceeded apace despite the Constitution and Congress, and more effective federal action is the one hope of restoring democracy. That was what the New Deal must have done if it was to be a New Deal. It is beside the point now whether the President so understood the issue or shaped the New Deal to meet it. The point is that no New Deal can save democracy without a fundamental change either in the power of the Supreme Court or in the Constitution.

It has been stated that the effect of the decisions of the court is to bring us five years closer to fascism. In a sense that is true. The uncurbed power of business would lead to the depression of wages and living standards, which would lead to revolt, which would lead to a great popular movement, which in turn would lead to a combination of popular leadership with big business, and ultimately we should be brought to the authoritarian state, dedicated to the maintenance of the profit system and the maldistribution of economic power. But the unfettered dominion of big business in a country where certain democratic liberties remain, like free speech and a free press, is not fascism. It is out-and-out plutocracy. It gives us a dual government, a minor one by Congress, the Executive, and the courts, and a major one by business, in which economic mastery is virtually unlimited. Those who cried, "Thank God for the Supreme Court," after the Schechter decision are believers in this plutocracy,

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and have wanted it all along. They may disguise themselves as individualists, but what they mean is that the privileged few are to be individual plutocrats.

Of the two changes possible, specific amendment of the Constitution to permit social legislation, and curtailment of the power of the Supreme Court, we prefer the latter. We believe that the Supreme Court should be divested of all veto power, excepting over state legislation found to be in conflict with national laws. There are no state rights so important, in an age of integrated nationhood, as to give thirteen states the right of veto over thirty-five on specific amendments, now or at any time. Congress is made up of representatives of local entities, and Representatives and Senators already are alive to local needs. The conception of state rights is as archaic as the Constitution. The states represent historic and sentimental units with no well-defined economic or even administrative frontiers. That Rhode Island or Nevada have an equal vote with New York or Pennsylvania in constitutional changes is an absurdity, tolerable only if the power is not used.

Specific amendment of the Constitution, we admit, is the more "American" way. Ours has been a government of checks and balances, and now that we find we cannot check and balance the dominion of business, we can fit the Constitution to do so. But a reason against this is the cumbersome process of amendment. If it needs to be done each time a crisis arises in the country, the danger period is unduly prolonged. A surer method would be to vest Congress for all time with the power to legislate nationally without a court veto. We admit that if there were a prospect of being able to rewrite the Constitution to give us an up-to-date system of national taxation, education, and social legislation we should welcome it. But we believe it would be impossible today or in the near future. And we prefer to see the problem met by giving Congress a power equal to that of the British House of Commons. This need not cause prolonged delay. Though it never has done so, Congress has a right to arrange for ratification by state conventions. It can stipulate the time and place and the manner of choosing delegates. It can turn the vote into a national plebiscite by having delegates instructed like members of the Electoral College. This would be democratic, and it could be reasonably swift. The thing could be settled in a year.

The argument against this is that a fascist movement, having conquered Congress, could override the Constitution in short order. A fascist movement, we must point out, will choose to be constitutional, like Hitler's, if it is convenient, but it will not be restrained by any constitution. Fascism is revolutionary, and revolutions are not deterred by constitutions. Safety against fascism is not in statutes but in a just economic order. We see no service in trying to fend off fascism by checks and balances, or setting up the Constitution as a sort of paper barricade in a Washington boulevard. We imagine that fascist possibilities played a role in the Supreme Court decision, and that the liberal members thought that in striking a blow for decentralization they were opposing obstacles to the rise of an authoritarian state. If so, these worthy justices were not very wise after all. They cannot stave off fascism. It is not to be held at bay by anything nine solemn men may weightily say. And in this effort they have handed us over, bound hand and foot, to the mercies of a business and financial plutocracy.

The French Crisis

FOR the third time within a little more than a year France has passed through a political crisis of exceptional severity. The fact that the Flandin Cabinet was defeated after less than seven months in office is not in itself particularly disturbing. Many French governments have enjoyed a much shorter life and have fallen more ignominiously. The multi-party system is not devised to give stability or continuity of administration. But the roots of the present crisis lie far deeper than merely the traditional instability of French Cabinets. Pierre-Etienne Flandin, like his predecessor, Gaston Doumergue, had attempted to establish a government of national union which would rise above partisan conflicts in order to combat the growing rigors of the economic crisis. He was chosen as one of the few men in public life who could command respect from all groups. His ministry represented widely varying political opinions, ranging from Louis Marin on the right to the Radical Socialist leader, Edouard Herriot, on the left, and at the outset was opposed only by the Socialists and Communists.

But despite the strength of his support and his amazing personal vigor, M. Flandin proved unable to stem the tide of deflation which has swept France since the close of 1931. All the basic indices have continued their downward trend. Industrial activity in February was only 73 per cent of the 1928 level, and more than 10 per cent lower than in the corresponding month of 1934. Wholesale prices have fallen 16 per cent in the past twelve months, while unemployment has risen more than 40 per cent. The shrinkage of foreign trade has continued unchecked, and the perennial budget deficit has been aggravated by increased expenditures for armaments.

It was only natural, therefore, that the recent devaluation of the Belgian currency should call attention to the fundamental weakness of the French position. Impressed by the apparent success of Belgium's action, influential groups within France launched a vigorous campaign for devaluation of the franc. About the middle of May speculators began quietly to withdraw gold from the Bank of France for shipment abroad. These gold shipments increased as it became apparent that M. Flandin would be unable to obtain the emergency powers which he desired in order to safeguard France's fiscal position, and during the last few days of the month reached the unprecedented volume of more than a billion francs daily. Yet tremendous though this loss was, it constituted in itself no real threat to the franc. The total drain, aggregating approximately 7 billion francs, represented less than 10 per cent of the gold reserves of the Bank of France. The chief danger is that the raising of the discount rate from 2½ to 6 per cent will intensify the deflationary pressure on French business and thereby lessen the opposition to devaluation.

The danger of political and financial chaos appears to have been averted, for the time being at least, by Fernand Bouisson's success in forming a government. As a non-party man who has been for nine years president of the Chamber of Deputies, M. Bouisson is an exceptionally happy choice for Premier. He was formerly a Socialist and is definitely left in his political orientation, yet by virtue of

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his ability, sincerity, and diligence he commands the respect of the right as well. The appointment of Joseph Caillaux as Minister of Finance not only indicates that a determined fight will be made to save the franc, but makes possible a much-needed reorganization of French governmental finances. All the social ministries have been put in the hands of men belonging to the various parties of the left, while the presence of Marshal Pétain as a Minister of State and the appointment of Generals Maurin and Denain as heads of the War and Air ministries give adequate assurance to the right that the national defense will not be neglected. Having given the new Premier the emergency powers refused to M. Flandin, the Chamber is expected to adjourn in order to give the Cabinet adequate time to carry out needed reforms without political interference. But while the Bouisson government is probably the strongest that could have been formed at the present time, there is no assurance that it can succeed where eight other French Cabinets have failed in the past three years. The fundamental problem of adjusting the French economy to world deflation remains as difficult as ever. Rigorous economies, which are the only alternative to devaluation, are bound to react politically on any government which attempts to make them. The growing sharpness in the division between right and left is certain to be accentuated as the economic crisis deepens. M. Bouisson may succeed despite these difficulties; if he does he will deserve a place among the immortals of France.

The Soviet Writers' Conference

RECENT accounts of the official Soviet attitude toward the arts have been exceedingly diverse. It is often said that the increasing stability of society is tending to promote a more liberal view, and under the circumstances considerable interest attaches to the official report of "The Second Plenum of the Executive Board of the Union of Soviet Writers," copies of which have just reached this country. The translation is obviously very bad indeed and may in part account for what seems in English the heavy and rambling character of the discourses, but in any event there are few signs of any "liberalizing" tendency —if by that is meant any tendency to approximate what has been the traditional European attitude toward literature and its uses.

In the opening address President Maxim Gorki began by asking "why our literature is weak," but went on to explain that by this question he meant "why it does not present the big characters that exist in real life, why it all the time dwells on the old themes already dead." In discussing dramatic criticism another speaker remarked that the chief question to be asked was always "whether this or the other work serves the proletariat and socialism"; and while such a statement might be made to mean almost anything, no opening seemed to be left for the broad humanistic view that any sound art of any kind inevitably "serves the proletariat." Instead, the theaters were dutifully rebuked for devoting so much energy to the production of the classics, and certain critics of "The Pickwick Club," produced at the First Art Theater, were properly castigated for failing to stress the fact that Mr. Pickwick's adventures did not give a true picture of life in capitalist England.

Lenin is sometimes said to have had a taste for bourgeois literature somewhat shocking to his more orthodox disciples, but the only reference to him in this report is in connection with an anecdote the moral of which points the other way and might shock not the orthodox but those moderates who are inclined to contend that a work—like Proust's novel, for example—may be genuine literature if it reveals the working of social forces, even though the author lacks a true understanding of their fundamental meaning. Lenin, it seems, was much taken with a certain story by Jack London about the struggle between a starving man and a starving wolf. He asked for more, but soon discovered that in this author "the strong stories are mixed up with extremely weak ones—completely impregnated with bourgeois morals." When the very next tale he read turned out to be about a ship captain who sacrificed his life to keep his word to an owner operating the boat for profit, "Lenin smiled and waved it away with his hand."

Perhaps the thing which will sound strangest to those accustomed to the ways of bourgeois writers is Gorki's suggestion that, since Soviet literature has only twenty-two more months in which to justify before the world its role in the Five-Year Plan, the writers should "organize a group," "study the product of twenty years' work," and form themselves into "collectives"—presumably for the production of the Great Soviet Novel. Now there is doubtless much that is absurd in the romantic tradition of the artist; perhaps he will learn at last to work in collectives and, like the scientist, to function as a member of this or that institute, cooperatively investigating the possibilities of romance or satire as the scientist does those of a new serum or a new explosive. But he will probably be the last kind of worker to fit well into such a scheme, because it is demonstrably true that he does not by any means always do his best work under what seems to be the best conditions. Gorki himself is now living as a hero in a society that he greatly admires; he ought, therefore, to be writing novels much better than any he could produce in the days when he was struggling in a world he despised. And yet, outside of Russia at least, there is no general disposition to hold that he is doing anything of the sort.

The trouble with the determination to get together and produce a great literature before the Five-Year Plan is over may not lie in any perverse unwillingness of the artistic temperament to cooperate in the building of a new society. It may lie only in the fact that there is no other kind of enterprise—even philosophical or scientific—in which good-will, intelligence, and industry can be as little relied upon to produce assured results. Some residue of truth remains in the old idea that Minerva does not respond to invitations—even though they are issued with pressing sincerity by a man like Gorki, whom she has assuredly not always refused to visit when she was capriciously so inclined. A "collective" may generate the good-will, coordinate the intelligence, and encourage the industry, but something may still be lacking. "Inspiration" is perhaps a foolish name for the fourth requirement, but the requirement undoubtedly exists and we must call it something.

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Issues and Men

The Supreme Court's Bombshell

GRAVELY disheartening as the Supreme Court's decision is as it affects hours, wages, and conditions of labor, there are still phases of it for which we can give hearty thanks. I shall not stress the advantage of unanimous decisions in the three anti-Roosevelt verdicts handed down on the same day, for everybody is doing that. But I will point out that they have made impossible any revival of the mischievous talk heard in the early days of this Administration that if the Supreme Court were to get in the New Deal's way, the court would be enlarged and packed with New Deal sympathizers. That would be a long step toward fascism and a most dangerous precedent.

To the extent that the NRA decision works against Executive usurpation of power it is also to be heartily welcomed, for in the first hundred days of the Roosevelt Administration Congress bestowed upon the Executive seventy-seven new authorities and powers never before given to it. Now I am one of those who have defended on many platforms and in many articles the fundamental New Deal principles, but I think I have never failed to say that at the first sign of complete recovery those extraordinary and unconstitutional powers must be returned to the Congress if our democratic institutions are to survive. Even then they will always constitute a precedent which may recur to plague us in the event of another economic disaster or the arrival of a would-be dictator bent upon intrenching himself, like Hitler, by "constitutional means." The decision does not, of course, remove all danger of fascism; far from it, as long as men like Hearst and Coughlin advocate it directly or indirectly. Yet it is a distinctly heartening event and a genuine strengthening of the defenses against the rule of what Hitler, with childish naivete, describes as "democratic government by one man."

Looking at the decision from the political point of view, the President may offer all sorts of thanks to Providence. It extricates him from a bad dilemma—one largely of his own creating. Owing to his own unsteadiness of purpose and aim, his inability to pick the right administrators for the NRA, and Richberg's apparent, if not actual, wobbling on the plans for its extension, the NRA was breaking down. As *The Nation* has repeatedly pointed out, the failure to enforce Section 7-a was one of the potent factors in the breakdown and another was the inadequacy of the enforcement machinery—an inadequacy generally believed in Washington to be not wholly unpalatable to Attorney General Cummings and Postmaster General Farley. I believe this analysis to be much more nearly the truth than Walter Lippmann's view that the NRA "collapsed through its own inner contradictions and its irreconcilability with the American economy." Certainly, Mr. Roosevelt now has a beautiful alibi—if prosperity continues to hide around the corner. "Did I not offer you the remedy and did not Congress deprive me of it?" "Did I not enormously improve conditions until the Supreme Court finished the NRA?" He may now fall back on these questions, whereas if the NRA had gone on, the chances are that it would have collapsed.

Then there are the Republicans. How they should dislike Chief Justice Hughes, not only because he upheld Mr. Roosevelt at points where they wished the New Deal disavowed, but because he and his court have now deprived the Republicans and the Liberty League of their best target! With the Supreme Court checking the Executive thus sweepingly, their battle-cry of Executive usurpation is almost taken away from them. And since they are completely destitute of a constructive program of their own, and are not even advocating any economic measures with direct application to the existing situation, they cannot afford to lose the one issue which might have popular appeal in it—the cry that our Republic is in dissolution by fiat of Franklin Roosevelt. There are still other encroachments of power for them to dwell upon; but let us suppose that the AAA and other New Deal activities also fare badly at the Supreme Court's hands. Where will the Republicans then stand? Will they not have to work out some kind of alternative recovery plan with which to combat the President? They have no candidate in sight who can approach him in charm and in political skill. Their only hope must lie in their being able to offer better brain work, and of this there is no sign.

Finally, there is still another important point in connection with the decision. It may in future time be recognized as the initial cause of a wholesale revision of the Constitution by means of a constitutional convention. As everyone knows, the Constitution expressly authorizes such a convention, but the power has never been used. Four progressive Congressmen, including Representative Marcantonio of New York, have already issued a joint statement advocating such a convention "to revise the basic law of the land in the light of present-day economic requirements." Of course there will be the greatest outcry against this, not only on the part of the reactionaries, but on the part of many liberals as well. The liberals will doubtless say that the fascists will take advantage of the opportunity, that big business will dominate the whole thing and prevent any real granting to the federal government of the right to control in some degree the economic life of the whole people. The conservatives, on the other hand, will declare that such a convention will destroy states' rights and give birth to a dreadful mess of legislation embodying in the basic law of the land all sorts of isms and especially radical isms. Plainly neither side has any faith in our democracy's power to bring its organic laws up to date carefully and wisely. But if we can't have faith in ourselves, what have we to look forward to in the way of a successful effort to subordinate wealth and business to the common welfare of the country—and to give to labor the rights and privileges it deserves?

Oswald Garrison Villard

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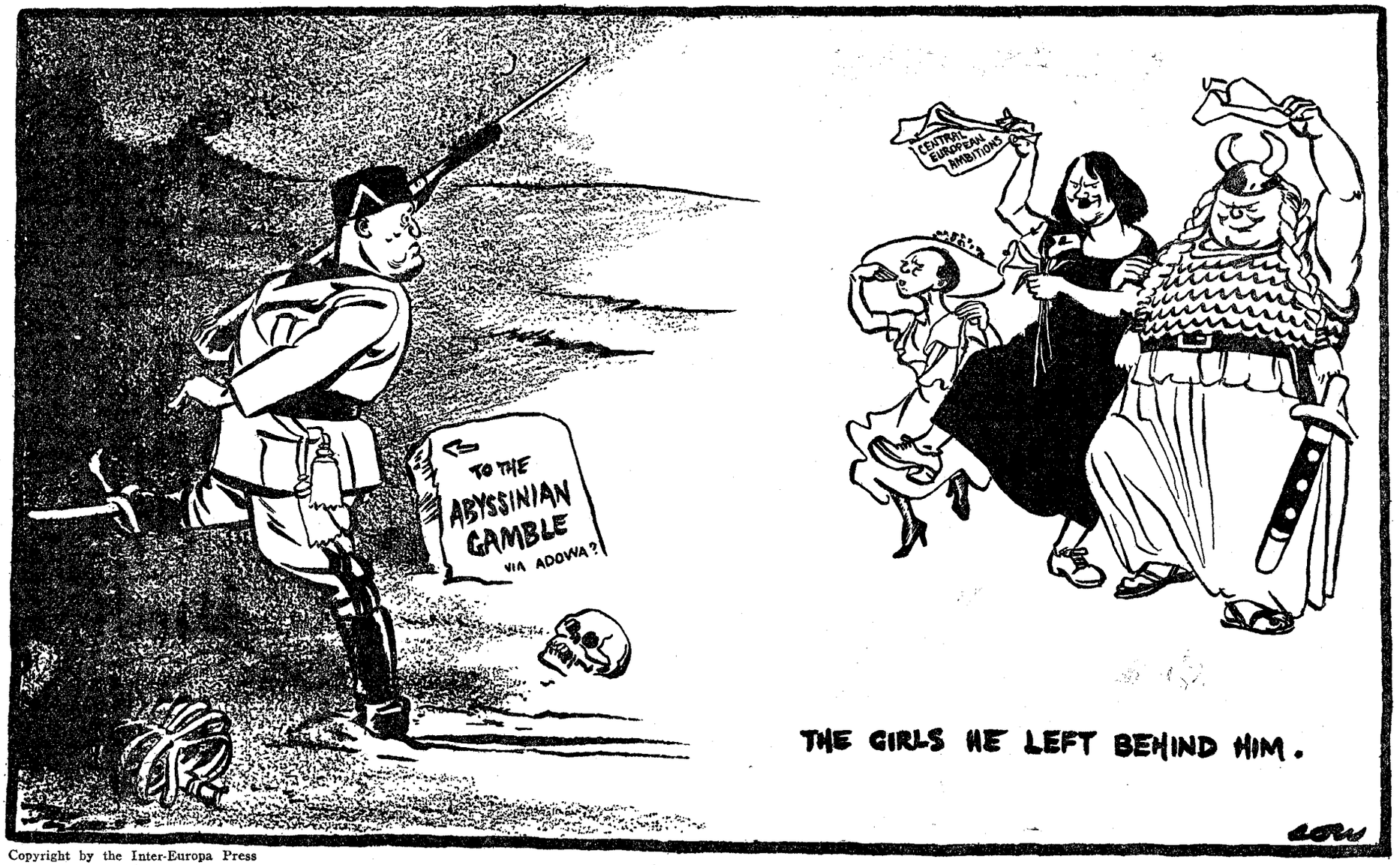
A Cartoon by LOW



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Radio Invades Journalism

By ISABELLE KEATING

THANKS in part to the skill with which members of the American Newspaper Publishers' Association keep their right hands from knowing what their left hands do, the American people will get more news by radio in the future than heretofore. The news-strangulation program imposed upon broadcasters by the publishers fourteen months ago has just gone down the chute, largely because the publishers undermined their own restrictions.

The story of this somersault in the A. N. P. A. makes strange reading. To understand it, one has to go back two years to the time when radio stations were broadcasting as much news as they pleased, without benefit of the A. N. P. A. Indeed, newspaper-owned or affiliated radio stations were among the most enthusiastic broadcasters of news in those days. News broadcasts were popular and increasingly profitable. Advertisers were happy to pay thumping sums for the privilege of touting cigars or bathroom fixtures before, during, and after a program of swift-moving, vivid news stories. Sometimes they even withdrew their ads from the newspapers and allocated the major portion of their advertising budgets to radio news programs. And radio, of course, was happy to serve them. A news broadcast could be and generally was an inexpensive program. Get a raconteur with a good voice, a lively imagination, and a copy of the afternoon paper, and there was your program.

The publishers who owned radio stations (now more than one hundred) generally found news broadcasts as good business as did the other broadcasters. But the publishers who didn't own stations, or have connections with stations, got acute pains in the pocket-book nerve. They joined in violent protest. The upshot was a conference attended by publishers from the A. N. P. A., representatives of the three large news services—Associated Press, United Press, and International News Service—and representatives of the two large broadcasting systems, Columbia and NBC. The publisher representatives came to the conference armed with threats, which they brandished with great effectiveness at the broadcasters. First, they threatened to omit broadcasting programs from their columns except as paid advertising unless the broadcasters canceled their news programs. And then, just to harass the broadcasters a little more, they suggested that a Congressional investigation into the methods by which wave bands were allocated might have to be called for if news broadcasting didn't stop. Radio, already constrained to go to Washington every six months, hat in hand, for renewal of its license to operate, had no stomach for investigations. So radio, that is, the chains, surrendered.

Out of the conference emerged the news-strangling press-radio set-up which went into effect on March 1, 1934. Under that set-up Columbia and NBC agreed to abandon all their former news broadcasts (NBC had none at the time anyway), and in their stead send out two five-minute daily news broadcasts made up from the joint reports of the A. P., U. P., and I. N. S.; these agencies, it was understood, would no longer permit their news to be broadcast except through this official arrangement. Two press-radio bureaus were established, one on either coast, to make up these reports. To insure staleness, the time of the news broadcasts was set from five to eight hours after newspapers containing the same items were on the streets.

The most important provision of the agreement, however, the one which pinched publishers, press associations, and broadcasters unendurably, was that the press-radio programs could not, under any circumstances, be sold to advertisers. For despite the obvious economic stakes, the press-radio pact was touted as a great sacrificial gesture of public service, promulgated by those two old pals, the radio and the press; and of course under those circumstances the publishers had at least to act as though they were cooperating—even the publishers who owned radio stations.

But the pact was as bitter medicine for them as it was for the broadcasters who weren't publishers. For all the subscribing broadcasters it cost money to get the press-radio service, since they had to share the maintenance costs of the bureaus in addition to carrying their own transmission charges, and on this expenditure they could expect not one mill's return. Nor could they find any comfort in the news broadcasts sent out by the Press-Radio Bureau, for these were designed to discourage rather than stimulate public interest in news by air, and that purpose they certainly accomplished. As radio programs they were informative, but they were very dull.

What happened was inevitable. As soon as the press-radio pact became effective, radio news services, formed generally by ex-newspaper and radio men, and by at least one publisher, sprang up from coast to coast offering news programs which the stations could buy for sponsorship or not, as they pleased. And five hundred independent radio stations, not owned by or affiliated with the big chains, were in a position to take advantage of these services and ignore the pact entirely. Scores of them did so. Some stations went merrily on pirating their news from the local papers. Many subscribed to the new radio news services.

But the most astonishing reaction came from the radio-publishers. With other publishers they acquiesced in the press-radio pact as long as it looked as if it would drive their radio competitors out of the news-broadcasting field. (All, of course, in the public interest.) But when the pact didn't prove effective, twenty-seven of them went out and bought Transradio Press Service, the largest and best of the competitive new radio news services, for their broadcasting stations. They continued to pay lip service to the press-radio pact, and when the A. N. P. A. convened two months ago at the Waldorf in New York, these publishers voted to continue the Press-Radio Bureau for another year; but they also continued to buy and broadcast Transradio. They were thus competing with their own news-strangulation program, while the old press associations, the large broadcasting chains, and the publishers who still observed the press-radio pact held the bag.

It was the independently owned press associations which kicked over the traces. At the A. N. P. A. meeting in April

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the U. P. and I. N. S. acknowledged the great public service of the press-radio set-up, but they took official cognizance of the fact that a rival news service, Transradio, bade fair to preempt the radio news field as a result of their altruism. And they announced that "when and if it should become necessary [because of] competitive broadcasting of news" they might sell their news to broadcasters or advertisers for sponsorship, in controversion of the pact. One gathered that this fell development, however, was probably in the distant future, for they emphasized their opposition "in principle" to the "sale of news for radio sponsorship," and said that they would do it only under such restrictions as would "preserve the purity of the news."

The truth is, however, that even while their pious report was being presented to the A. N. P. A. convention, their representatives were in the field seeking radio clients for their services. The convention had scarcely closed when both associations announced that their news was for sale to broadcasters or advertisers, and both signed up several clients. The A. P., cooperatively owned by its 1,200 members, relaxed its restrictions at once to permit publishers who owned radio stations to make up their own broadcasts from A. P. reports—with credit. These latter broadcasts are still, as this is written, inviolate from advertiser sponsorship.

As the lid blew off the press-radio pact, several swift developments took place which must have bewildered a public that had been hearing for fourteen months that the pact was entirely for its interest and protection. Directors of the Pacific Coast Press-Radio Bureau decided that maybe the public could hear a little advertising with its news without being contaminated, and announced accordingly that three commercial "spots" would hereafter be permitted with each news broadcast. Newspaper-owned stations throughout the country bought the new radio news programs offered by the U. P. and I. N. S., and most of them sold these programs to advertisers at once. They too apparently felt that hearing a little advertising matter with radio news wouldn't hurt the public.

And finally, Transradio, the *enfant terrible* of the affair, swept the whole matter into the courts by charging that the press-radio pact was a "conspiracy in restraint of interstate commerce" and a violation of the Sherman Act, the Clayton Act, and the Federal Communications Act. With its usual audacity Transradio aimed this legal attack at everyone involved in the drawing up of the press-radio agreement—including the broadcasting chains, the press associations, the A. N. P. A., and approximately 1,400 publishers who are members of the latter association and of the A. P. The damages sought by Transradio amount to $1,170,000.

While the rival groups scramble for contracts, that useful shibboleth, the "public interest," has been mislaid. What has happened to the restrictions which the other press associations were going to impose on advertisers to maintain the "purity of the news"? I. N. S. has announced that it will not sell news to advertisers of laxatives and internal medicines, but this is a restriction which the Columbia Broadcasting System apparently considers necessary to preserve the "purity" of any program, since it has recently proscribed all such advertising in the future. What of the United Press? It is impossible for it to contend that "competitive conditions" have made it necessary for it to waive its planned restriction, for Transradio, which has created most of the "competitive conditions," has fairly rigid restrictions on advertisers who buy its service. It permits only one 100-word commercial announcement with a five-minute news broadcast, stipulates that this announcement be clearly differentiated from the news, and provides that any attempt by an advertiser to delete or omit a news item to satisfy his prejudice will be considered grounds for immediate voidance of contract. At this distance it seems fairly obvious that the vaunted restrictions were for public consumption only, and that U. P. and I. N. S. are not likely to worry much about preserving the "purity of the news" until and unless they can force Transradio back into the corner.

Transradio, it must be admitted, has been a competitor to try the soul of the most righteous publisher. Backed in part by a publisher whose name has never been revealed, and directed by Herbert Moore, an ex-United Press man, it moved into the radio news field with intrepidity, impudence, and, to the publishers, an insupportable lack of front—all in fourteen months. It has never claimed that any part of its program was dictated by a devotion to public service. Its sponsors say they are in business to make money, and in order to do that they have to deliver news that is fresh, vividly written for radio presentation, and accurate to the last address. It claims that with its affiliate, Radio News Service, it now serves more than two hundred radio stations—more than Press-Radio—and that more than 10 per cent of its clients are the very publishers whose restrictive program gave it birth. Just before the publishers convened two months ago, it succeeded in selling its service to WLW in Cincinnati, the largest radio station in America, which had previously been broadcasting Press-Radio news. And just after the convention it added to its list of clients Station WSYR in Syracuse, New York, home of the newly elected president of the publishers' association. When the old-line press associations announced that they were back in the radio news business, Transradio stated that it was prepared to sell its service to newspapers, thus invading the press associations' home field. It now has two newspaper clients in addition to its radio clients.

Such brash impudence has, of course, sent the publishers and their spokesmen scurrying in search of noble sentiments on which to predicate their viewing-with-alarm. Roy Howard does his deploring on the ground that radio "does not have a century of journalism ethics behind it." Marlen Pew, the master rhetorician of *Editor and Publisher,* deprecates radio as a "medium comparable to corner gossip, subject to political licensing and manipulation, essentially commercial, and lacking the long tradition of public service that makes the newspaper's commercial side secondary."

These comments bring sardonic smiles to the faces of the broadcasters. When men and institutions in this country rest their claim to dominance on tradition, one is reminded of the D. A. R. Herbert Moore, Transradio's sire and doubtless a somewhat irreverent commentator, has said: "It would be better for the press if it were fourteen months old as we are than a hundred years old. Its senility is too apparent. Our youth, our independence, and our fearlessness are our winning factors." Certainly the public grows ever wearier of publishers who espouse one practice "for the public good" and pursue an entirely different one for private gain.

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Ickes Surrenders to Bureaucracy

By PAUL W. WARD

ALTHOUGH legally entitled to sign state documents as Secretary of the Interior, Harold L. Ickes is the New Deal's Minister without Portfolio. He had one, but in an excess of perverse Ickesian honesty he gave his portfolio away to an obscure gentleman by the name of Ebert K. Burlew, his "administrative assistant and budget officer." As a result, the unholy ghosts of Hubert Work, Roy West, and Ray Lyman Wilbur still slither through the Interior Department's halls and file tiers, impeding if not blocking traffic there.

There is no particular mystery in the fact that the man who runs the Department of the Interior—and its adjunct, the Public Works Administration—is not the Secretary. It is customary for Cabinet members to surrender to some one or a few civil-service menials the task of actually running their departments. The mystery in Mr. Ickes's case is the completeness of his surrender and, more particularly, why he chose to surrender to Burlew. Why did the "strong man" of the Roosevelt Administration select for his executive assistant a man who also had been executive assistant to his aromatic predecessors, Work, West, and Wilbur? Why did he choose to put at the controls a man who, for all his chameleon-like qualities, could not by any stretch of the imagination be considered a New Dealer? Why, at the slightest hint of criticism, does he spring ferociously to Burlew's defense even when those hints come not only from bona fide New Dealers to whom he has intrusted important posts in his own organization but also from the New Deal's nerve center, the White House? What is the fascination Burlew holds for Ickes?

Concerned solely with its effects, I do not propose here a definitive solution of the mystery. Perhaps it never will be solved. Probably it would not have developed had Roosevelt's initial choice for Attorney General—Tom Walsh, of Montana—lived to take his seat beside Ickes at the Cabinet table. Walsh hated Burlew, and about that hatred there can be no mystery, for the explanation is set forth plainly in old Congressional files. You will find part of it in the transcript of a hearing of the Senate Public Lands Committee on December 21, 1928. You will find the rest of it set forth in the transcript of Senate debate on February 15 and February 20, 1929. Together these records tell the story of a nauseous attempt to drag a red herring across the trail of the Salt Creek oil frauds by besmirching Walsh, the man chiefly responsible for the exposures. They show that the unstable Nye of North Dakota and the unspeakable Robinson of Indiana were tugging at the drag rope with both hands, and that Mr. Ickes's favorite courtier, Burlew, helped supply the herring.

Back in 1922 Harding's Secretary of the Interior, Albert B. Fall, had let to Harry F. Sinclair a contract for the output of the gigantic Salt Creek oil field in Wyoming. The contract contained a mysteriously unadvertised optional-renewal clause that, in effect, gave Sinclair a permanent monopoly, and for that very reason the contract was illegal. At least it became illegal in February, 1928, when Work, Fall's successor, honored the clause by renewing the contract. No publicity accompanied the renewal transaction, and more than a month passed before the White Eagle Refining Company, learning of the renewal, filed a formal protest bulwarked by a long list of legal citations. Later it developed that one Phelan, a zealous young man formerly connected with the Shipping Board, had warned Dr. Work before he renewed the contract that the renewal clause was at least questionable and the whole Salt Creek deal soggy with fraud. It also developed that Work's solicitor, Patterson, had dismissed the legal questions involved in seven words, and that when the matter was referred to the Department of Justice for a ruling, two young lawyers there, without bothering to call the case to the attention of their superior, Colonel Donovan, had found it so easy to concur in Solicitor Patterson's opinion that they did not bother to read the citations of the White Eagle's counsel.

Pressure by the White Eagle Company sent the case back to the Department of Justice, where it languished for five months and nineteen days. Dr. Work, Colonel Donovan, and their associates later were given opportunity to deny that they had hoped to delay action on the case until after the election of November, 1928, which put the hapless Hoover into the White House. (You will recall that Dr. Work was chairman of the Republican National Committee at the time.) At any rate, action was taken on the case only after Senator Walsh had exposed the whole proceeding in the columns of the New York *World* for October 15. Two days later the Department of Justice decided that the contract was illegal, and it was canceled.

An investigation by the Public Lands Committee ensued, and it is at this point that Burlew appears in the picture. The committee asked the Department of the Interior for the records of the Salt Creek contract. It received a voluminous file which set forth immediately after a few innocuous introductory statements a detailed chronology of the Cat Creek, Montana, oil contract. Now the committee had not requested any data on Cat Creek, and there was only the slightest connection between that insignificant development in Montana and Wyoming's Salt Creek, then the world's richest oil field. Nye and Robinson, by their verbal poundings of Walsh in the Senate the following February, removed all possible doubt as to why the Cat Creek chronology had been inserted in the committee file atop the data on Salt Creek. It was put there in an attempt to job Tom Walsh. His name appeared at several points in the chronology of the Cat Creek contract, which also contained an optional-renewal clause. His office had handled correspondence of a routine character concerning the Cat Creek contract, and on that basis Nye and Robinson strove to impute to Walsh full knowledge of and concurrence in the Salt Creek deal. Listening to them, you would have thought that Walsh, not Work, had renewed Sinclair's illegal contract. You might even have thought that Walsh instead of Fall had made the original contract, so insidiously did Nye and Robinson use the red herring

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which Ickes's latter-day saint, Burlew, helped fish out of Cat Creek for them.

Walsh had seen what was in the making as soon as he opened the file and straightway had launched an inquiry into the processes by which the Cat Creek chronology gained inclusion there. One of the witnesses he summoned was Dr. Work's executive assistant. Burlew was on the stand only a few minutes, but they were uncomfortable ones. Under Walsh's probing he twisted and squirmed. Yes, he had helped Solicitor Patterson prepare the file for the committee. Yes, part of the chronology had been written in his own office. No, if he had the matter to do over, he would not again arrange the file in that fashion. But why it had been so arranged in the first instance and at whose orders, he simply could not recollect. It appeared that he had been nothing more than a terrifically obliging civil servitor.

Burlew always has been obliging—and efficient. Those two things are the key to his elastic career. He came into the government under the Wilson Administration as an office boy in the Post Office Department. He has been worming his way upward ever since and today is at his peak, a bureaucrat of the *n*th, or stellar, magnitude. He was still in the Post Office Department when the Wilson Administration gave way to the Harding shambles. The change involved only a temporary setback for Burlew. He managed to make himself so useful that when Dr. Work was transferred from the Post Office to the Secretaryship of the Interior, he took Burlew along with him. When Work stepped out to run the Hoover campaign, Burlew stayed on with Work's successor, Dr. West, but when the Hoover Administration came into power, Burlew's fortunes again suffered temporary reverses. His mastery of bureaucracy's tricks, however, was such that West's successor, Dr. Wilbur, soon restored Burlew to his old eminence, where he remained until the New Deal came along and his fortunes again went into decline.

There were Western liberals in the Senate who, remembering Tom Walsh, prayed that this time Burlew's reverses would be permanent, but they soon were disappointed. It took Burlew, with his complete mastery of government's mechanical details, only a short time to make himself indispensable to Ickes, a public-spirited Chicago lawyer who, aspiring with Hiram Johnson's backing to be Indian Commissioner, found himself plunked with bewildering suddenness into the Secretaryship of the Interior and its manifold responsibilities. So grateful was he for Burlew's efficient assistance that he had Burlew's salary boosted to $8,500, and went on from that point to put Burlew in complete charge of personnel for both the Interior Department and the PWA. Burlew, in turn, has filled up both agencies with men of his own temperament. Of course, he doesn't name the men of title—the Chapmans, Slatterys, Hacketts, Cohens, Margolds, Gruenings, Cookes, Glavises, and Colliers. He names the far more important men, the horde of lesser lights on whom they must depend to get their work done. He not only names them; he controls them. Most of the intra-departmental espionage blamed on Ickes's man-hunter, Louis R. Glavis, director of investigation, is really the work of Burlew and his personal lieutenants.

The result is that what goes forward in the department and what is held back is largely what Burlew and his fellow-bureaucrats think should go forward or be held back. And what they think should go forward is what the years have accustomed them to handling, what is least likely to disturb the smooth functioning of the bureaucratic machine, what, in short, is most comfortable for them. To that circumstance, far more than to Ickes's vaunted determination that not a penny shall escape into the grafters' fists, much of the backing and filling, the slowness, the missed opportunities of the public-works program can be traced.

Furthermore, so steadily has Burlew enlarged his powers that the men of title, the New Dealers, find it increasingly difficult to by-pass him. Their consequent efforts to unseat him seem only to intrench him more firmly in Ickes's affections. They are handicapped in those efforts by having to approach Ickes on his blind side. Unable to allege that Burlew has committed any crime or betrayed any trust and compelled always to concede that he displays a zealous devotion to official duty, they are forced to retire in disorder with Ickes growling at their shoulder blades: "Show me ten more Burlews and I'll hire 'em."

Now let us pause for a moment to consider another personality of recondite importance in the Interior Department-PWA picture. Ladies and gentlemen, I give you a man who should need no introduction, a man who firmly believes that where there is a will there is no way, a bureaucrat par excellence—John Raymond McCarl, Comptroller General of the United States.

Mr. McCarl, ladies and gentlemen, also has had a hand in mussing up the public-works program. He has had a hand in kinking up almost every other line of social endeavor stretched out by the New Deal. A tiny, stout fellow with beef-eater's cheeks and a silver marcel, he is the New Deal's most tangible nemesis. It is his job as head of the General Accounting Office to see that federal funds are collected and disbursed within the law, and that, in McCarl's case, means according to the very letter of the law. He has been at the task since 1921, and for most of that time he has done a creditable enough job, although one scarcely warranting the reverence in which he is held by the tory press. Unquestionably he has saved the government millions by tightening up its bookkeeping, but it would be as easy to make out a case that he also has cost it millions in additional red tape. It is at least noteworthy, in this connection, that the fine legal sieve through which he strains all New Deal expenditures either was not in use or was not fine enough to catch the Salt Creek royalty oil contract or any other major fraud of the Harding Administration.

Until 1933 his most publicized achievements had been confined to such rather picayune enterprises as refusing to sanction purchases of bottled mineral waters by diplomats in dysenteric foreign stations or limiting the tips doled out by junketing Cabinet members. But the coming of the New Deal with its open-faced spending program gave him a bigger theater of operations. By fine, hair-splitting decisions he has dealt setbacks of varying effectiveness to a whole range of projects. Slum clearance, low-cost housing, soil-erosion control, and subsistence-homestead projects, in particular, have felt the weight of his disapproval. He has, in fact, attained such a high nuisance value that it is becoming customary in many of the executive branches of the government to submit plans to him for approval in advance of any attempt to place them in actual operation. Thus he achieves

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a status superior in many practical respects to that of the President himself, and there is injected into government, besides the judicial and the Presidential veto, a third veto power—that of the General Accounting Office.

Like judicial vetoes, McCarl vetoes are difficult to assail because they are based on legal constructions. It is seldom possible to argue persuasively under those circumstances that a decision is the product of purely personal bias. Moreover, McCarl until recently has been protected from such suspicions by the fact that from 1914 to 1918 he was secretary to Senator Norris, of Nebraska, and until he attacked the TVA he enjoyed that impeccable liberal's patronage. But of late it has become apparent that something more than a rigid devotion to duty animates McCarl. He has begun to reach out for more and more power. He tried to have the $4,880,000,000 works-relief bill amended so that each and every project would have to bear his stamp of approval. His lust for power has more recently and plainly been made manifest in his grab for control over the TVA, which is subject to an annual audit by his office but completely exempt from his veto powers. He prepared the stage for his grab by sending to the Tennessee Valley a crew of auditors like himself imbued with horror at the thought of there being a governmental agency exempt from the rule of the General Accounting Office. It was such a select crew that it included among its members a man who had tried to get an auditor's job with the TVA and had been turned down for lack of adequate qualifications, and it returned a report that for accuracy, impartiality, and temperateness would measure up well only beside an Anti-Saloon League report on the effects of repeal. Summoned before a Congressional committee investigating the TVA, McCarl cleared his own skirts by disowning the 394-page document as preliminary and therefore "unofficial." Meanwhile, twenty-six pages of excerpts from its most critical sections had been mimeographed by a public-utilities lobbyist and given wide publicity. McCarl followed up his disavowal by a neatly worded plea to have the TVA put under his thumb. He contrived in that plea to be disinterested but his temper was established by a corollary incident. He refused to identify the copy he had transmitted to the TVA unless given opportunity to check each of its 394 pages to see that the TVA had made no surreptitious changes in them. He had declined to supply the committee with his own copy on the ground that the law required him to keep his copy available for the use of Congress and he therefore had to keep it in his office where it might be seen by any Congressman at any time.

The Comptroller General's ambitions, however, are not confined to attempts to extend his immediate domain. Being unable under the law to succeed himself when his term expires next year, he has his gaze fixed on the Republican Presidential nomination in 1936. He is being coy about it but the signs are unmistakable. He has, for example, begun to open up to reporters for interviews of a vote-getting sort. Thus we find him, a resident of the District of Columbia for twenty-one years and of Nebraska for longer than that, taking advantage of the fact that Iowa was his birthplace to pose as a good Iowan in an interview published on May 12 by the Des Moines *Register*. That paper's brilliant young Washington correspondent reports McCarl as saying: "Tell me what has happened in Iowa. I have been worried some about what I have heard from Iowa. It gives me a sinking feeling around the heart to think that Iowa of all the places in the world might be 'radical' or 'red.' "

Ickes also has been suspected of Presidential ambitions from time to time, but he is incapable of any such vote-getting blather as that just quoted. For one thing, his wry sense of humor would not permit it; furthermore, "red" and "radical" hold no horror for him. He has made the latter fact abundantly clear in a series of speeches on civil liberties. Incidentally, he is the only topflight official of the New Deal, including the President, who has raised his voice above a whisper to denounce specific suppressions of civil liberties in various states. He also is the only one who has protested against Hearst's cowardly red-hunt.

Ickes is sympathetic with minorities. He had been on the minority side fighting losing battles all his life until one of the most casual miracles of the New Deal elevated him, a quasi-Republican, to a Cabinet post. He has repaid the gift of power by being one of the most steadfast of New Dealers; he glistens in comparison with his former law partner, the deliquescent Richberg. Sometimes he has been more steadfast than the President desired; he is one of the few major croupiers of the New Deal who have clashed with Roosevelt on more than one occasion and successfully stood their ground. He has had an advantage over most of the others from the standpoint of steadfastness, however, by being assigned to duties which called forth no metaphysical mutterings about "social reconstruction" or the More Abundant Life, at least none that he cannot put into specific language if necessity arises.

His principal objectives are little more than leaves out of the conservation program drafted over twenty years ago by Gifford Pinchot and Theodore Roosevelt, to whom he publicly attributes his long-standing interest in conservation problems. It is quite natural that they should not seem of limited scope to Ickes, who, in addition to being a mixture of Scotch Presbyterian and Pennsylvania Dutchman, is sixty-one-years old and bears the scars and disillusionment of thirty years' in-fighting in municipal-reform politics in Chicago. He has been "practical" about such fighting, too, for although he never backed a winner until 1930, he always stayed within capitalist political ranks. The farthest left he ever went was to back La Follette in 1924, and two years later he was managing the independent Republican campaign for Senator of Hugh S. Magill, who today is one of the chief spokesmen for the power group fighting the Administration's holding-company legislation. In 1928 Ickes bolted to Smith, and two years later his practicality carried him entirely out of the reform camp to back Tony Cermak for Mayor of Chicago, his first winner. Roosevelt, in 1932, was his second. He managed Hiram Johnson's 1920 and 1924 campaigns for the Republican Presidential nomination. In 1916 he supported Hughes. In 1912 he was a Bull Mooser, supporting the original Roosevelt. He was not even Franklin Roosevelt's third choice for Secretary of the Interior; first choice went to the late Bronson Cutting, second to Hiram Johnson, and several others received tenders before the lot fell in the chunky Ickes's lap. Life can never be the same for him again.

[*The seventh article of Mr. Ward's series on "F. D. R.—the Boss in the Back Room" will consider why Mr. Cummings's department runs but gets nowhere. It will appear in the issue of June 26.*]

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Chain-Letter Madness

By JAY DU VON

THE chain letter very likely dates from the time an inquisitive mathematician, interested in the power of a geometrical progression, attempted to see how quickly he could flood the mails. Perhaps the first example of a widely spread chain letter in the years since the war was the "Good Luck" letter, based on the "magic seven," which was supposedly started by an army officer in Flanders. You received from one of your friends a letter which instructed you to make seven copies and mail them to seven of your friends within seven days. Your only reward was the good luck which would follow your compliance with the instructions, or the bad luck which would arrive in case you tossed the letter into the wastebasket. This letter cropped up at varying intervals and was apparently innocuous. The Post Office Department had no difficulty with it, and the fire-insurance companies were untroubled by its threats. People were either too busy or too hard-boiled to be bothered with it.

This spring a new type of chain appeared, reaching the height of its frenzy in Denver, Colorado. This letter, headed "The Prosperity Club" and subtitled "Faith, Hope, and Charity," carries the names and addresses of six persons. The person receiving the letter is instructed to make five copies, omitting the name at the top of the list and adding his own at the bottom, and mail them to five friends. To the person whose name was at the top he is told to send ten cents as a "charity donation." The letter promises the recipient $1,562 when his name reaches the top and admonishes him to "have the faith your friends had" and make sure that the chain continues unbroken.

For several weeks the newspapers carried photographs of overburdened Denver postmen and of huge stacks of mail accumulating in the office there. Reports were in circulation of large sums of money which had been received by various individuals, and the chain letter began a victorious eastward journey. The Post Office Department seemed from the first to be doubtful what course of action to take. It knew, of course, that in its larger aspect the scheme was both a fraud and a lottery. But who were the perpetrators of the fraud and who were the sponsors of the lottery? In Denver, for instance, it would have been necessary to indict almost every inhabitant of the city. The department has apparently concluded that the stamp revenue, which has tripled or quadrupled overnight in some cities, is not to be sneezed at, and that the scheme will rapidly reach the "saturation" point. Since the letters of one chain, computed through twelve unbroken progressions, amount to almost two hundred and fifty million, the attitude of the Post Office is understandable.

The "dime" letter has been quickly followed by the "dollar" letter and others in higher denominations. These are worked on a slightly different principle and are known as "chisel-proof." You are to pass these on to only two friends and only when these friends mail a dollar to the top name on the list with you as a witness. It is supposed that these friends, having invested a dollar each, will not allow the chain to die but will assure themselves that the friends to whom they are turning over copies of the letter will also continue it. There are many variations of this "chisel-proof" system, depending on the number of names on the letter and the number of copies which must be "sold." The promised rewards range from $1,024 with ten names and two copies to $27 with three names and three copies.

It is with the advent of the "dollar" letter that the scheme has taken on the form of mass hysteria. Whole towns have been convulsed with the idea. According to the Associated Press, business was suspended in Springfield, Missouri, for several days while the frenzy was at its height. Salesmen were actually hired to "sell" the letters for people unable to dispose of them themselves. In varying degrees the same thing has happened in other towns throughout the Middle West. Another curious phenomenon has been the mushroom-like appearance of chain-letter "factories" in empty storerooms and offices. A staff of clerks and a notary are hired, and a type of letter is inaugurated which eliminates the necessity of selling the letters to your friends. If you purchase one of these letters and have your signature duly notarized, the "agency" undertakes to sell your two letters to the two customers who follow you in line and their four letters to the customers who follow them, and so on *ad infinitum*. It seems hardly believable that such an absurd project can draw customers into lines extending for blocks. Yet at the present writing there are more than twelve such agencies in full swing in this Illinois community of a hundred thousand people. The most popular assures a return of $1,024 on an investment of a dollar and a quarter, the quarter covering the cost of mailing and notarizing and the supposed profit of the promoter.

It is impossible to convince a person standing in, say, the two-hundredth place in line, that he must be followed by more than two hundred thousand others, more than twice the population of the community, before his name can come to the head of the list and before he can receive his thousand dollars. The lines have been forming for several days and one agency claims to have mailed more than fifteen thousand dollars; in other words, fifteen million persons will have to follow a person now in line before he can receive any return. But people are good-naturedly stubborn about such figures. "Oh, it's just a gamble," some of them say. And the most cogent argument for most of them is the fact that Mrs. Jones next door has already received $44 and that a man down at the plow works is reported to have received almost a thousand.

How honestly the chain "factories" are operated and how much racketeering has entered into the craze it would be difficult to say. Government agents have made arrests in Texas, Iowa, and other parts of the country where letters have been sent out wholesale with the aid of city directories. A chain "agency" in Davenport, Iowa, has just been closed after an investigation which showed that the names of the promoters and their friends were in advantageous positions and recurred frequently early in the chain. Their profits must have been enormous.

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Some insight into what the chains must mean to many people can be gained from conversation with a garage man whose shop is located next to one of the Illinois agencies. He has turned his garage into a kind of pawnshop and purchased watches, vacuum cleaners, and all manner of household goods for a dollar each, with the agreement that he will sell them back when the customer receives his chain winnings. He expects that only a small part of this stock will be redeemed.

To what further extremes the matter will go can only be conjectured. The saturation-point on any one chain is reached in a comparatively short time, but there seems to be no such thing as disillusionment, and a new chain with a different reward finds the same supporters. It may well be that "there's one born every minute," but they must be born every second and oftener to keep up with a geometrical progression. If there is any particular moral to this latest example of American exuberance, it is that any demagogic scheme to redistribute the wealth, no matter how obviously and fundamentally unsound, is likely to meet with an enthusiastic reception.

The Intelligent Traveler

By JOHN ROTHSCHILD

Useful Guidebooks

THE example of the comic-strip tourist who looks in the guidebook to find out what to admire need not prevent the intelligent traveler from making use of publications which contain information. Those mentioned here are not guidebooks in the ordinary meaning but rather compilations of source material.

"Holiday Courses in Europe," published by the Institute of Intellectual Cooperation of the League of Nations, contains authoritative information on all the summer courses open to foreigners in the universities of eighteen countries. The list is inclusive rather than selective, but information on courses, credits, costs, and frequently on living conditions is sufficient to serve as a good basis of judgment. The book is published in English, German, and French, and all courses are given in one of those languages. It is obtainable from the World Peace Foundation, 8 West Fortieth Street, New York. Price 75 cents.

The *"Hand-Me-Down"* is as remarkable as its name. Its astonishingly lively information is the contribution of students who have traveled on the Holland America Line during the past eight years and have written frankly of their experiences in Europe—which hotels are cheap, which sights are overrated, what fascinating restaurant, or mountain walk, or summer festival they discovered, where there are bargains, how to save nerves and time. Everything recounted is the record of someone's first-hand experience; there is no attempt to sell the traveler anything to see and do. Even if one is going on a planned tour, the fat little book will be amusingly useful. It can be obtained from the Holland America Line, 29 Broadway, New York. Price $2.

The *"Handbook of Student Travel"* is published by the Travel Division of the International Confederation of Students. It lists recommended hotels and restaurants and youth hostels, gives the addresses of student cycling clubs and similar organizations abroad, notes the dates of holidays and festivals, recommends books about each European country, and furnishes assorted information about currency regulations, police rules, and the like. It may be obtained from the National Student Federation of America, 8 West Fortieth Street, New York. Price $1.

"The Study of International Relations in Geneva" is issued by the American Committee in Geneva. It is in effect a descriptive catalogue of the various lectures and courses of the four institutions in Geneva which are open to American students of world affairs. It may be obtained free from the League of Nations Association, 8 West Fortieth Street, New York.

International Student Identity Card. The uses of this card, which costs only a dollar and which any student registered in a college may obtain, are too numerous to list here; they include reduction of visa fees in many countries, all sorts of reductions at museums and foreign functions, and so on. The card also serves as a magic password of student contact all over Europe. The National Student Federation of America, 8 West Fortieth Street, New York, furnishes the proper forms for the student's identification and issues the card.

Motoring in Europe

An automobile service in Europe, run by Americans, will provide you with whatever type of motor travel you want and will advise you what is cheapest and safest. *Europe on Wheels* provides "drive yourself" cars which you may rent for short trips or buy with a repurchase guaranty for long trips (a cheaper plan). It will furnish an experienced guide-chauffeur or plan an all-expense motor tour which includes hotels, meals, sightseeing. A further service is advice and help in shipping your own car if that is your preference. Costs vary in all these plans with the type of car selected—a seven-passenger English Daimler with chauffeur is $25 a day. An estimate of a four weeks' trip through England (2,100 miles) is $215, including all rental and operating costs for a large "drive-it-yourself" car. If you prefer motoring to train travel, consult Europe on Wheels, 366 Madison Avenue, New York.

The traveler who wants to take his own trusted automobile abroad may also be well served. A service first developed for the transatlantic shipment of automobiles is now extended to the private owner. The feature is an elevator equipment on dock and ship that saves crating. An all-expense two weeks' motor tour through Belgium, Germany, Switzerland, Italy, and France may be arranged through this service for $1,299.50 for four people. This includes the ocean crossing. Address Arnold Bernstein Line, 17 Battery Place, New York.

Sailing on a Freighter

It is quite possible, if you have lots of time and really like ocean travel, to get somewhat closer to Joseph Conrad's ocean than the luxury liners permit. Certain freight boats carry a few passengers—sometimes less than a dozen—and a number of bigger coastwise cargo boats are equipped for a considerable passenger service. Accommodations are simple but not uncomfortable.

Headquarters for information is *Tramp Trips* at 44 Beaver Street, New York. This organization has pioneered in coordinating information regarding the facilities offered by freighters. Tramp Trips will arrange an ocean crossing or any one of dozens of coast trips to Nova Scotia, the ports of South America, or all the islands in between. Round-the-world trips are particularly inexpensive compared to the services of the passenger lines. Vagabond voyages are sometimes arranged with individual skippers. Some of the services are available to men only; but generally women may use the freight lines if escorted.

The following list indicates the possibilities of freight-boat crossing to Europe, but these facts are to be borne in mind: the lines cannot guarantee a reservation until about three

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weeks before the sailing date; very few take women and then only women accompanied by husbands; the crossing takes ten days to two weeks; lines which take passengers to Europe sometimes have no return service.

America France Line, 42 Broadway, New York. Weekly sailings for Havre, 10-day crossing. Rate $60 east bound, $64 west bound. Men only.

Black Diamond Line, 39 Broadway, New York. Weekly sailings for Antwerp and Rotterdam, 10-day crossing. Round trip $105. Also sailings from Norfolk, Boston, Philadelphia, and Baltimore. No single women.

Isbrandtsen-Moller Company, 17 Battery Place, New York. Sailings twice a month to Havre, Rotterdam, and Antwerp, no return sailings, 15-day crossing. Rate $50. No single women.

The Oriole Line, 21 West Street, New York. Sailings to Manchester, England, every two weeks and to Glasgow monthly, and from Boston every two weeks for London and Hamburg. Rate $60 each way.

Work Camps and Youth Hostels

The *Student Work Camps of Europe* are confused with and sometimes overlap government projects similar to our CCC camps. The true work camp, however, is organized on a basis of voluntary labor on some project which will improve the community, and carries with it an implication of good fellowship in a social endeavor. Many camps are organized on an international basis. Twenty-five American students will be chosen this year by International Student Service for attendance at camps in Switzerland, Wales, and Austria. The camp period is three weeks; girls are accepted in Wales and Austria; in Switzerland and Wales participation in the camps is gratis; the living expenses at other camps are nominal. Afternoons and evenings are free and there is a planned recreational program. No experience of European life is cheaper or more genuine. Address International Student Service, 8 West Fortieth Street, New York.

A chain of *Youth Hostels*—simple and inexpensive lodgings for student hikers and cyclers—may be utilized in some cases by American young people. Membership in the Youth Hostels Association of England, 18 Bridge Road, Welwyn Garden City, Herts, England, entitles one to use the hostel facilities in most other countries. The membership fee is small.

Correspondence

Cash Value Is Not Lost

To the Editors of The Nation:

Your interesting article entitled How Honest Is Life Insurance? by Mort and E. A. Gilbert contains some rather striking misstatements. It is glaringly wrong in what it says about "confiscation" of cash values when a policy becomes a claim. A look at any standard text on insurance will show that this is a misstatement. If a $1,000 policy has a cash value of $400, then the insured has $400 of his own money and $600 insurance. If it were all insurance and no cash value, then the insured would have either a term policy or a non-term policy not old enough to have cash values. But the cash value is not confiscated. It is the insured's own savings paid to the beneficiary.

Then there is a reference to information about an applicant being broadcast to other companies, in case of rejection. This information interchanged among companies is not broadcast free to all companies; a certain fee is charged, and not all companies by any means have access to that information.

As for twisting, there is a legitimate objection to it, for in many cases of twisting the agent's sole aim is to secure a commission on the rewritten business. Such a procedure may be wholly without advantage to the policy-holder. The changes to a higher-premium form of insurance do not require evidence of insurability, because with the higher-premium forms, that is, higher cash values, the company's net risk is less. In the case of change or conversion from a higher-premium to a lower-premium form a medical examination or other evidence of insurability is required because the company's exposure in that case is greater, as you will find on reference to any authoritative text.

Des Moines, Ia., May 25 Theodore Kain,
Assistant Secretary,
Union Mutual Life Company

Insurance Is Not Confiscation

To the Editors of The Nation:

I have just read an article in the *National Underwriter* for May 24 which discusses an article which appeared in the May 22 issue of your magazine. The article in the *National Underwriter* states that your article had the title How Honest Is Life Insurance? and then goes on to say:

> Their [your authors'] ignorance of even the most elemental knowledge of life insurance is indicated by the following sentence: "When the cash is retrieved, it cannot be confiscated by the company at the death of the insured." Anyone who doesn't comprehend the two elements of life insurance—the decreasing term insurance and the increasing investment fund—is necessarily handicapped in writing on life insurance.

If the sentence from your article is correctly quoted in the paragraph above, the criticism of the *National Underwriter* is fully justified. The life-insurance company does not confiscate any part of the savings or so-called cash value of the policy on the death of the insured. The policy is so calculated that upon the death of the insured the company does two things in one operation: first, it pays to the beneficiary the amount of savings which the insured has piled up in the policy out of the excess charges paid by him while carrying the policy; and, second, the company pays such additional amount as is necessary to increase the total payment to the beneficiary to the face amount of the policy.

All calculations are made in such a way that the premium paid by the purchaser is always made up of two elements: first, an amount equal to the one-year renewable term rate for the attained age of the insured for the amount of insurance necessary to be added to the cash value to make the face of the policy, and, second, an amount to be set aside by the company as part of the insured's savings for the purpose of paying him the face of the policy as an endowment, either at age ninety-six or at some other predetermined age which is at the end of the endowment period.

You will note from your files that you published an article written by me in your issue of September 15, 1933. It goes without saying that I am sympathetic with any effort to expose the outrages which are daily perpetrated upon the public by the life-insurance companies. It is for that reason that I regret the publication of your article. It is very easy for the life-insurance companies and their agents and their paid press to show the fallacy of any such statement as the one quoted, and in doing so they are able the more strongly to ingratiate themselves with the deluded and unintelligent buyer.

Chicago, May 25 James P. Sullivan

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President Linton on Twisting

To the Editors of The Nation:

It is beyond my comprehension how *The Nation* ever fell for an article such as that on life insurance by Mort and E. A. Gilbert in the issue of May 22. I have seldom seen a more misleading, incorrect discussion of the problem. One could write at length upon the article, but I shall confine myself to the main points.

1. It is amazing how often the old misconception crops up to the effect that when a policy-holder dies the company "confiscates" his reserve or cash value. This fallacy goes back to the old days when assessment insurance was attempting to hold its own against legal-reserve life insurance, and the assessment companies coined the phrase "keep the reserve in your own pocket" in trying to support their plan.

A policy on the life or endowment plan is made up in essence of two elements: first, a savings-fund element which builds up the reserve accumulation that forms the basis of the guaranteed cash and loan values, and, second, a net protection element. The amount of the net insurance protection in any year is the amount by which the face of the policy exceeds the accumulated value. Since the accumulated value increases year after year, the amount of the net protection decreases correspondingly. The important thing, however, is that the charge for the net insurance protection is computed on the basis of the *decreasing* amount and not on a *level* amount. This means that when death occurs under a $10,000 policy, where there is, say, a reserve of $4,000 in hand, the company pays the claim by using the $4,000 and then drawing the remaining $6,000 from the mortality fund for the year. The two together make up the $10,000 paid on the policy. The policy-holder, however, has not been charged for net protection on a level $10,000 basis but for a decreasing protection; and in the year for which the illustration is cited the charge was for $6,000. Thus there is no "confiscation," and the policy-holder receives exactly the benefit for which he paid.

This situation seems to be difficult for the layman to grasp, and therefore we have had many bills introduced in legislatures which would require the companies to pay not only the face of the policy but also the amount of the accumulated reserve. It is obvious that if this were done, the net mortality fund would have to be drawn upon for $10,000 instead of $6,000 and the total amount paid under the policy would be $14,000. The charge for the net protection element, however, would be greater and the policy would cost more. I think at least one company has issued a policy of this kind, but it is not attractive because people are not interested in paying the increased cost for a policy which pays a larger amount in the event of death for each year the policy remains in force. It might be pointed out that if this practice is so iniquitous, something ought to be done about the government war-risk insurance on the life and endowment plan, which, of course, is operated upon a sound, scientific basis.

2. The so-called "twisting of insurance" has to do primarily with the dropping of an outstanding policy and the taking of a new one at the attained age. The writers of the article charge the companies with attempts to defraud their policy-holders by preventing them from making a change which would be of benefit to them. There are numerous kinds of changes.

For example, a policy-holder may have taken a twenty-year endowment with a $45 premium and after a few years found that he must reduce his outlay for premiums. If he still needs the original amount of insurance at death, the best plan by which his premium can be reduced is to change the policy as of the original date to a cheaper plan with less investment or old-age protection for the original amount of the insurance, thereby releasing part of the reserve, which may or may not be used to purchase additional insurance, as the policy-holder may desire. There are many instances where this helps the policy-holder from the financial point of view, although in changing to the cheaper plan he is definitely giving up a certain investment or old-age protection advantage. When the companies feel that a change of this kind is being made for the benefit of the policy-holder they are perfectly willing to cooperate, subject of course to proper evidence of health.

Another form of change permitted is a shift to the lower-premium plan as of the original age and the original date for the amount of insurance the premium would have purchased on the new plan. This of course does not reduce the premium outlay but does increase the protection feature and reduce the investment or old-age feature.

Most of the changes, however, which companies encounter in practice are from ordinary life taken out a number of years before to ordinary life as of the attained age, the original policy being surrendered outright. Very frequently the old policy is encumbered by a policy loan, and this is often used as an argument for the change. In most instances this change is not advantageous to the policy-holder, does not materially change his outlay, and is likely to leave him in a worse position as far as future cash values are concerned. It is to prevent this situation that the companies have attempted to restrict the practice of twisting. Some companies withhold commission on the new insurance and others use educational methods to get their agents to refrain from suggesting changes which are not for the benefit of the policy-holder.

The frequent argument is that a policy which has remained in force for a number of years and has a maximum loan against it requires an outlay not only of the premium for the original insurance but also an outlay for the interest on the loan. For example, a $10,000 policy with a $4,000 loan might call for an outlay, say, of $250 for the premium. In addition there is the $240 for the interest, making $490 altogether. As indicated in the first section of this letter, the net protection under the policy is only $6,000 and for this $6,000 the total outlay for premium and interest is $490. When, however, account is taken of the fact that the policy-holder has advanced in age since the original policy was issued, it usually works out that the new insurance for $6,000, assuming the old policy to have been surrendered and the loan canceled, is not far from $490. Moreover, the cash values under the new policy are not likely to be as favorable, generally speaking, as under the old policy. It should also not be overlooked that the $240 interest is deductible in making up the income-tax return so that the net burden of the interest charge may be considerably less than $240.

The difficulty in the situation is that if these changes are encouraged there is a continual temptation for the agent to stir them up, not from the point of view of the good of the policy-holder but from the point of view of the commission that is to be obtained by the agent. Thus, in essence, part of the policy-holder's funds are transferred to the commission account.

3. The suggestion is made in the *Nation* article that the companies should permit a change from a high-premium policy to a low-premium policy without evidence of good health. A little reflection shows that this would be most unfair to the continuing group of policy-holders. If a policy-holder had a high-premium policy and could surrender it for the cash value and take a new policy for the same *face value* as the original, then in the event of death he would have received not only the face of the policy but also the cash value which he had

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taken before his death. Obviously this is a practice which would be indulged in by policy-holders as soon as they knew they were in bad health, and what is called "anti-selection" would take place to the great disadvantage of the continuing group of policy-holders. The practice would be both discriminatory and scientifically unsound.

It cannot be emphasized too strongly in this connection that, in mutual life insurance, if anti-twisting measures resulted in questionable gains, as suggested in the article, they would simply go into the funds from which dividends to policy-holders are drawn. The expenses of the companies doing business in the state of New York are strictly limited by law, and the insurance commissioners know just what is done with the money, what salaries are paid, and how the business is run generally. Thus, if there are any gains as suggested in the article they would inure to the benefit of the entire group of policy-holders. The fact of the matter is that the life-insurance companies curb the twisting evil because they know that there is great temptation for some field representatives to urge the dropping of old insurance and the taking of new, not because that would be for the policy-holder's benefit, but because of the commission involved.

Philadelphia, May 22 M. A. LINTON,
President, Provident Mutual Life Insurance Company of Philadelphia

[Mort and E. A. Gilbert, the authors of the article How Honest Is Life Insurance? will have an opportunity in next week's issue to reply to their critics.—EDITORS THE NATION.]

Carl von Ossietzky

TO THE EDITORS OF THE NATION:

As many of the readers of *The Nation* know, the name of Carl von Ossietzky has been presented to the Nobel Peace Prize Committee for its next award. Jane Addams was one of those who proposed him. It will be helpful to his candidacy to have the use of any article or newspaper item relating to von Ossietzky which may have appeared in the United States. Material should be sent to me at 12 rue du Vieux Collège, Geneva, Switzerland.

Geneva, Switzerland, May 9 EMILY GREENE BALCH,
Honorary International Secretary,
Women's International League for Peace and Freedom

A Correction

TO THE EDITORS OF THE NATION:

In the editorial Fascist Victory at Columbia, in *The Nation* for April 3, I find a statement which is not quite correct. The letter to Professor Salvemini signed "The Graduate Club of Italian Studies" and withdrawing the club's invitation to speak was written by me as secretary of the organization at the dictation of the president. Since I considered such action discourteous and had voted against it at the meeting I did not care to affix my signature to it. Neither did I resign at that meeting. The reason for this is stated in the letter addressed to Mrs. Maria Piccirilli, which you printed. I resigned, together with Mr. Luciani and Mr. McAvoy, only after Mrs. Piccirilli and her group, disregarding the previous decision of the club and the provisions of its constitution and without informing any of us, held a meeting at the Casa Italiana under the name of the Graduate Club of Italian Studies.

New York, April 8 MARCEL F. GRILLI

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Labor and Industry

Nine Against Labor

By HEYWOOD BROUN

IF labor is to stay in the big leagues, the Supreme Court is the team which it will have to beat. The Schechter NRA decision, following so closely upon the heels of the rail-pensions case, underlines the fact that workers are always likely to get the worst of it in the rulings of the highest bench. It would, of course, be easy to point out that the average man who is appointed to the Supreme Court has devoted the most profitable part of his career to the defense of large interests. I am not saying that such service invariably disposes a jurist to reactionary rulings. Exceptions could be noted. Indeed, the case of labor against the court need not rest on personalities alone. The fault lies much more largely with the structure of the Constitution.

Among the things of which the founders never heard or dreamed was the modern trade-union movement. There may have been some small familiarity with craft guilds, but their place or potentiality in the America of the late eighteenth century was decidedly limited. Indeed, the workers of the revolutionary era could hardly have anticipated how destructive to the interests of labor the theory of states' rights would become. And it is the singularly rigid reaffirmation of local boundary lines in industry which damages labor in the court's NRA ruling. At the moment the federal government's admitted power to regulate interstate commerce is all but useless, since the court is reluctant to admit the existence of any such animal. It will become increasingly difficult to get good labor legislation in the more progressive states because of the bad standards in the backward communities. The New York worker now finds himself in competition with the pauper labor of Georgia.

My own enthusiasm for the NRA was shortlived, although I must say that my objections centered more largely on the administration of the scheme than on the plan itself. Perhaps it had within it the seeds of fascism, but they are likely to sprout even faster in the cutthroat competitive turmoil into which the court has suddenly plunged us. By a curious coincidence the left-wing labor groups called a meeting to denounce the NRA at the very moment the Supreme Court was preparing to read its death warrant. By the luck of the draw Charles Evans Hughes and Earl Browder are in temporary agreement. I am aware of the logic of the radical position and in large measure I agree with it: The strength of labor lies within its own hands. If the NRA had been enormously effective it would have been a soporific. In its imperfect state it was a sham and a delusion. From any long-range point of view labor should be better off facing the fact of conflict. Indeed, all who believe in the class struggle should thank Justice Hughes for pointing out the barriers which prevent industrial freedom through legislation. A seeming defeat constitutes labor's great opportunity to press on to victory through its own momentum.

Yes, I know all that, but any realistic thinking must include a consideration of short-range necessities. Labor may have a great opportunity now that it has been knocked back on its own heels, but I gravely doubt whether in organization or leadership it is at present competent to succeed without so much as a shadow of legislative blessing. The complete revolutionist is not likely to lie awake nights worrying about the reactionary nature of the Supreme Court. But any who think that it is decidedly worth while to take account of what to do till the doctor comes have a right to speculate upon the benefits which might accrue to labor immediately through a sharp curtailment of the power of the Supreme Court or even the complete abolition of its veto power.

It seems to me that there ought to be a united front against the oligarchy of nine, and I see no reason why volunteers of every sort should not be admitted. It is a traditional fallacy that the vast majority of Americans consider the court the bulwark of their liberties. It is true that Theodore Roosevelt in his days as a Progressive once suggested "the recall of Supreme Court decisions" and quickly dropped the scheme because of the shocked cry of horror which arose. But a good many decisions have flowed under the bridge since then, and they have been of a sort which did not endear the nine old gentlemen to a nation beset with mass unemployment. It is only a straw in the wind but I noticed that when George S. Kaufman and Morrie Ryskind made the nine the chief butt of their satire in "Of Thee I Sing," few if any spectators left the theater in high dudgeon. If you can kid the court you can also curtail it.

As a matter of fact the Schechter and the Frazier-Lemke decisions have aroused the sharpest kind of criticism in newspapers which are not noted as radical or liberal journals. Arthur Krock, Pulitzer prize-winner of the *Times,* declared in a column of editorial comment that the Supreme Court had gone back to stagecoach days in its conception of interstate commerce. An editorial in Captain Patterson's *Daily News* stated: "For absurdity and dangerousness the NRA decision surpasses the Dred Scott decision." And on the following day the final paragraph of the paper's comment was: "It is time to reverse the tide set rolling by Grand Lama John Marshall in 1803; and we think Franklin D. Roosevelt is the man to do it."

The political luck of the President is proverbial. He is now in a position to blame the Supreme Court for the feebleness of his readjustment policies. The Chamber of Commerce can no longer bay at him, since the moon, much to the chamber's embarrassment, has been dropped into its lap. A brand-new and popular issue is in the hands of Franklin D. Roosevelt to do with as he will. The President has been fond of comparing himself to a quarterback in a football game, but let's drop that metaphor for the moment and consider the situation in terms of a tonsorial parlor. Into an empty chair there has slumped a new and heavily bearded customer. Slumped did I say? The fellow has fallen fast asleep. The proprietor of the place can do what he will. He can clip the whiskers or shave the head down to the bone. Here is his great opportunity. Will he give him the works or let him off with just a trim?

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The Nation Index of Labor Welfare

NO marked change occurred in *The Nation* Index of Labor Welfare in April. Continuation of the business recession which started in March, together with a further sharp rise in food prices, resulted in a decline in the basic index of approximately 0.4 per cent. Despite a drop in industrial production, employment rose slightly for the month, while the average weekly wage of employed workers remained unchanged at about $21.75. This apparent improvement in labor's position was more than offset, however, by a 3 per cent increase in retail food prices, which, combined with a slight rise in rents, brought the index of the cost of living (1932 = 100) to 106.8, the highest point since the middle of 1931. A 3.6 per cent decline in the number of families on relief rolls indicated an improvement in the status of the unemployed portion of the population.

It will be noted that the revised indices for March on the basis of official government figures are somewhat higher than was forecast by the earlier estimate based on the statistics of the National Industrial Conference Board. The board had indicated a sharp decline from February in the weekly wages of workers in the manufacturing industries, whereas the more complete figures of the Bureau of Labor Statistics show a rise of almost 1 per cent in average labor earnings. This adjustment brings the revised Index of Labor Welfare for March to 99, as compared with 98 in February. The preliminary figure for April is 98.7, which is slightly below the level of a year ago.

In contrast to the failure of real wages to rise above the 1932 average, industrial profits continued their spectacular increase during the first quarter of 1935. A list of 210 large corporations compiled by the National City Bank shows total net earnings, less deficits, of $123,000,000 for the first quarter of the present year, as against $101,000,000 in the corresponding period of 1934, an increase of 21.8 per cent. If we were to assume this experience to be typical of all corporations, the index of profits for the first quarter of 1935 would be 654 per cent above the 1932 level! Other estimates suggest, however, that the smaller companies did not fully share the experience of the larger corporations, although their profits tended to be higher than in 1934.

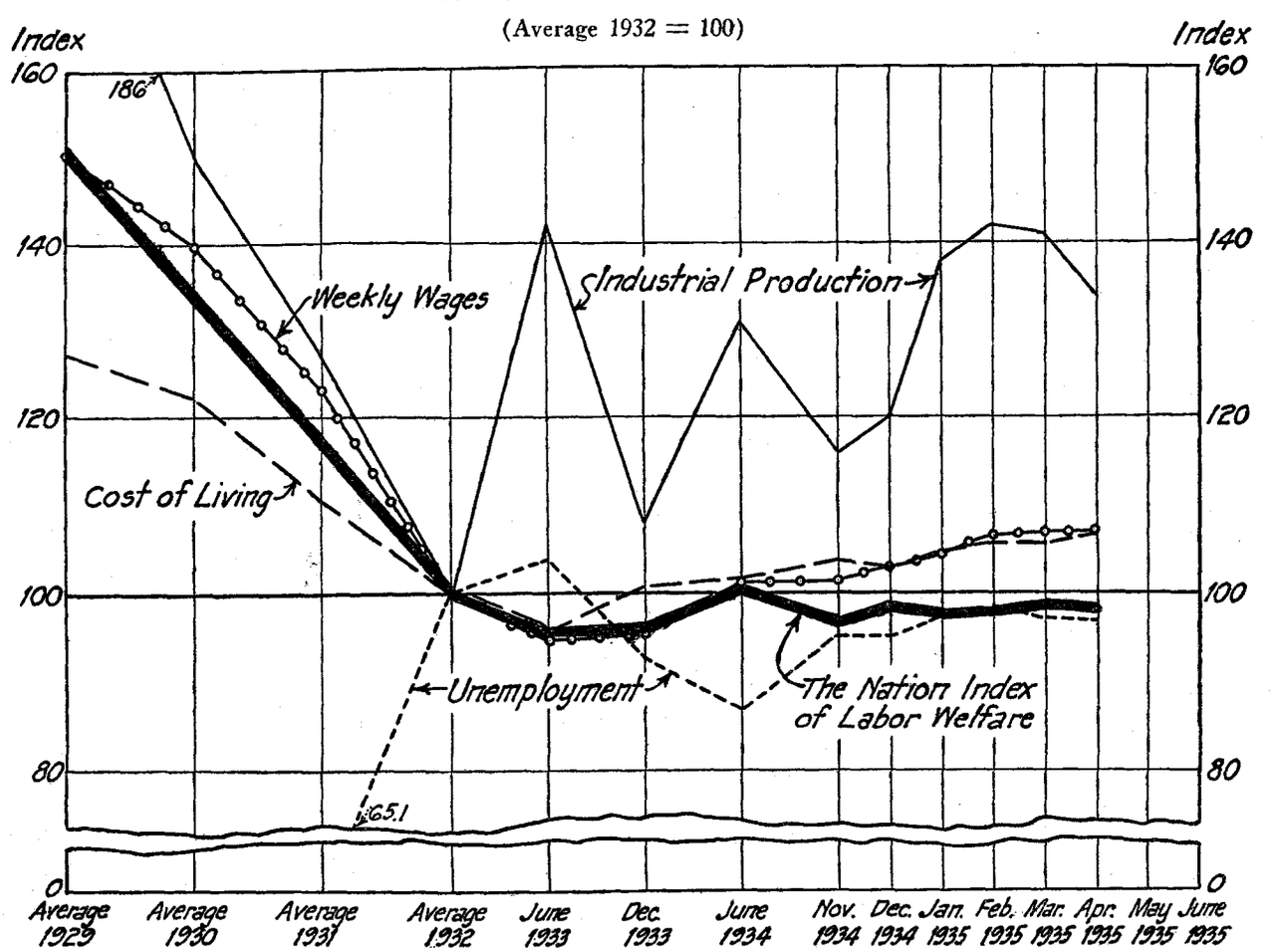
The preliminary estimates for April together with the revised figures for March, are as follows:

(1932 = 100)	*March*	*April*
Industrial Production	140	134
Average Weekly Wages	107	107*
Cost of Living	106	107
Real Wages	101	100*
Index of Labor Welfare	99.1	98.7*

* Preliminary

THE CHART OF LABOR WELFARE

(Average 1932 = 100)



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Books and Films

Child of Fate

Catherine: The Portrait of an Empress. By Gina Kaus. Translated by June Head. The Viking Press. $3.50.

IN her "portrait" of Catherine the Great Gina Kaus paints on a canvas larger than life. Almost she is compelled to, if she is to keep this single figure from being drowned in the turgid flood of its historical background. Yet one lays this book down, as one has laid down other biographies of Catherine, saying only, "O history, O mystery!" and wondering what, after all, was the contemporary truth of her.

Yet Frau Kaus has, on the whole, resisted the curse of biography—the temptation to fictionize. There are slips, particularly in the earlier pages, where the biographer is transformed for a moment or two into the omniscient novelist or the even more omniscient modern psychologist. But these slips are few. For the rest she has clarified the historical background with almost a chemist's skill and against its proportioned expanse has painted her portrait of Catherine.

It must be true that Catherine "flourished in adversity . . . grew great by her capacity to endure humiliations"; otherwise her spirit must have died young: Thirty-three years of thwartings and outrage before fate handed her the moment in which she was to make her great bid for power! But eighteen of those years spent in omnivorous study! Frau Kaus makes an interesting statement concerning Catherine's attitude toward fate; a statement in which lurk, I think, a hundred simplifications for future biographers of this woman who, without a shred of legal right to the throne, seized it and ruled it for thirty-three years. "Her attitude toward fate," says Frau Kaus, "was the attitude of a woman toward her lovers; passionate, challenging, but at the same time passive. She had no desire to master fate; she longed, with all the strength of her superhuman will, to be mastered by fate." Certainly fate was kinder to Catherine than her lovers were; perhaps because in fate she instinctively welcomed an impersonal force greater than a merely personal one, even her own, and could take refuge in that conviction.

She was a love-child of luck. With everything hanging by a thread after the first abortive revolution against Peter, and herself in flight for her life, by grace of brief stops at the barracks along her way within a few hours she was approaching the Winter Palace preceded by priests in full vestments and followed by thousands on thousands of soldiers and subjects. While her spouse slept his all but last sleep—he was murdered within a week after her accession—she issued her manifesto, "We, by grace of God, Catherine II, Empress and Autocrat of all the Russias . . ."; and a few hours later was compelling his hand to sign his "voluntary abdication." At any moment an adverse breeze could have blown the cobwebby affair into nothingness, but she was luck's own child.

Her contradictions were many but Frau Kaus faces them easily. She paints Catherine as "more than man" yet essentially woman in her romanticism, sentimentality, and inveterate "hero yearning"; as mistress of a dozen lovers yet instinctively monogamous; as a woman whose "love life was like that of a very important business man, simple, sentimental, and rather pathetic," too busy for coquetry and with the external roles of the sexes, therefore, completely reversed. She makes Catherine's guiding motive "not love of masculine strength but terror of masculine weakness," a terror sprung from her own most unfortunate relations with weak father, brother, husband, and lovers.

"She began her reign," says Frau Kaus, "with a desire for the good, with a fervent belief in kindness, justice, and reason." The author seems a little romantic here; seems to take too literally Catherine's own estimate of herself penned in her own famous epitaph—never to be written in stone! Catherine's one fervent belief seems to have been in simple fate, if fate were but left alone and not meddled with until it needed for a moment another hand than its own—and that hand but for receiving the moment and using it. The clever use of this gift of fate was by and large her single activity. When she tried to force the moment she was nearly always the loser.

EDNA KENTON

A Misunderstood Musician

Hector Berlioz. By Tom S. Wotton. Oxford Press. $3.

REPUTATIONS have a way of "setting," like concrete pavement, unevenly in different places. The reputation of Berlioz has always been high among the Germans and generally poor among his compatriots, the French. In the United States he is virtually unknown, or unfavorably known, while in England critics are divided between those who assign Berlioz a special pinnacle among the peaks of musical achievement, and those who look upon him as the victim of his own efforts to scale the heights.

Much of this diversity of opinion is due to incomplete and erroneous information. One must therefore feel deeply grateful for Tom S. Wotton's book, which investigates the legend and the facts. Mr. Wotton first points out that Berlioz is almost always judged by standards which no one would dream of applying to other composers, and that in consequence admirers of the man and the artist have fallen into apologetic attitudes that are entirely uncalled for. The half-hearted tone of comments on Berlioz has done more to injure his reputation with the general public than any objective fact. Here the detractor will assert that many competent critics have examined the works of the composer and found them wanting; to which Mr. Wotton has a number of cogent and convincing replies. In the first place, many competent critics have examined the works and found them admirable. In the second place, the so-called complete edition of Berlioz's works is neither complete nor faithful. Amazing liberties have been taken with the musician's text, blunders have been made, and misleading annotations added to eke out the confusion.

Even without such confusion, Berlioz's unique orchestral style cannot be properly judged from the score alone, and even less from a piano reduction. Ernest Newman confirmed the fact recently when Berlioz's great music-drama, "The Trojans" (1855), was given at Glasgow. And apparently the same effect of an unsuspected "revelation" occurred last March in Moscow when four hundred singers and instrumentalists performed the stupendous Requiem.

Besides infrequent and inadequate performances and misleading scores, Mr. Wotton deals with a third difficulty in "getting" Berlioz, namely, the variety and plasticity of his musical idiom. Though Berlioz has influenced in one way or another every subsequent composer, he has been imitated by none, for the simple reason that he is inimitable. Acquaintance with the various national "schools" gives no help. He speaks his own language and one has to learn it through repeated hearings. Because of this unsought originality of his, many have concluded too hastily that Berlioz was deficient in melody, harmony, and sense of form. With examples and a rationale of Berliozian methods, the author exposes the inaccuracy of these charges and the falseness of their implications.

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The only serious objection to Mr. Wotton's book is that it assumes a general knowledge of Berlioz's life and works on the part of the reader—an unwarrantable assumption in the United States, where many educated persons are unable to name a work by Berlioz or date it to the nearest century. In view of such encyclopedic ignorance, it is a pity that W. J. Turner's "Berlioz" (1934) should not have appeared in this country. One has of course Berlioz's "Memoirs," which rank with Cellini's as a model of the genre. They were translated in 1933 under Newman's care, but even here one must consult Wotton, not indeed to correct the alleged misstatements of the autobiography, but to find its debunkers debunked.

Other current notions, such as that Berlioz could not compose without a program, that he always required large instrumental forces, and that in some magic way he could pass off sheer orchestral effects for genuine music are easily refuted by reference to the facts. Mr. Wotton has been studying Berlioz and his works for fifty years, but he wears his authority lightly: his style is rapid and pliable, and the modesty of his documented assertions is in refreshing contrast to the smug finality of those critics whose main strength lies in Grove's Dictionary. In short, Wotton's "Berlioz" must have a place beside Newman's edition of the "Memoirs" and Turner's biography to form the *vade mecum* of the complete Berliozian.

JACQUES BARZUN

Colonial Government

Modern Samoa, Its Government and Changing Life. By Felix M. Keesing. Stanford University Press. $4.

The Origins of International Rivalry in Samoa, 1845-1884. By Sylvia Masterman. Stanford University Press. $2.75.

DR. KEESING'S book is a full and serious consideration of a question whose implications are far wider than the borders of the Samoan Islands or the present problems of the Pacific. It is primarily a study of the problem of government when the complications incident upon political action are combined with a fundamental clash between cultures. Containing a brief historical survey, a sketch of present population conditions, and an excellent brief summary of Samoan political and social organization, the book is really a study of what New Zealand has tried to do in Samoa, how far it has succeeded, what are the causes of its failure, and what are the plans which it should follow for the future. An analysis of the German occupation brings out the fact that the Germans faced many of the same problems and shows how they met them, with less pressure from an interested public and more confidence in direct suppressive measures. The parallel conditions in American Samoa are considered from the same angle, with an emphasis upon the similarity of the recurrent causes of trouble, and an underemphasis perhaps upon the far simpler task which the American navy confronted, since the group was much smaller and contained few half-castes or foreigners. The central problem of the book is: What is the constitution of present-day Western Samoa and how can New Zealand deal with the Samoans so as to develop them into a harmonious and integrated community, with honor to its own colonial administration, and in terms of the highest current demands for the treatment of native peoples? That Dr. Keesing does not question the desirability of such a development makes the book more valuable, for it frees it from the fantasy element which is likely to inhere in all discussions of native peoples considered in a political vacuum.

Thus the book becomes a careful discussion of political method in the light of the facts, and Dr. Keesing has considered far more facts, and more different orders of facts, than such discussions have historically taken into account. He considers the local institutions upon which are based the systems of property-owning, land tenure, office-holding, and control of village affairs. He discusses the premises upon which colonial government, under the League of Nations, is based. He discusses the role played by the local white residents and the accidental role of the personality of Samoan holders of high titles. He analyzes the effect of prohibition, which involved Samoan and white man in a conspiracy of law-breaking. He describes the Mau, the native Samoan movement which grew until it included the whole population, as one of those mystical outbreaks which occur among primitive peoples under heavy pressure from outside forces—comparable to the American Indian Ghost Dance. And he makes the acute observation that as the Samoan's main interest in life has always centered about social ceremonial, the revival movement has taken this character rather than a strictly religious one.

Although it is difficult to select from such a wealth of detail about so many facets of a vexed problem, perhaps the most significant discussion in the book is that of the difficulty of shifting the Samoans from their old system, which Dr. Keesing calls "personal"—under which an individual's whole status was based upon his position in a network of blood ties, each of which carried with it a connection with some bit of ground in a unique village organization—to the new "impersonal system," under which every adult is equated with every other adult in terms of nationality and economic and legal responsibility. The struggle to make the Samoans realize that the category of "relative," a person from whom one can borrow anything and to whom one may expect to extend any kind of aid, is meaningless in law and should become meaningless in economic terms has been a long and wearisome one. It is so comparable to the problem of developing in immigrant peasant groups in the United States a proper "impersonality" that Dr. Keesing's material here makes his study of sociological importance, in addition to its great interest for all students of colonial administration and of cultural change.

Miss Masterman's book in comparison is strongly traditional; she relates a series of political events in the history of the three nations which struggled for Samoa, and in the whole of her narrative the Samoans play only the most formal part, a paper role. In Dr. Keesing's account they live and move and infinitely complicate and enrich the issues which he raises.

MARGARET MEAD

A Dubious Masterpiece

The Tragedy of Man. By Imre Madách. Translated from the original Hungarian by Charles Meltzer and Paul Vajda. The Macmillan Company. $2.50.

THIS mystery play, written by a Hungarian poet of the nineteenth century and translated for the first time into English, has been hailed as a work of genius in its native land and other Central European countries; it has been compared to such masterpieces as "Faust" and "Paradise Lost." Briefly outlined, the theme runs thus: Lucifer, meeting Adam after the latter has been banished from the Garden of Eden, causes him to fall asleep. Adam is a symbol of mankind; and his dream is a sort of prophecy of mankind's development through the ages.

In its conception there is no denying that Madách's tragedy deserves to rank with those of Goethe and Milton; in its execution, however, it falls very far short of such flattering comparisons. For one thing, the verse is exceedingly bad—high-flown where it would be sublime, declamatory without being forceful; this, however, may be the fault of a translation which

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is more conscientious than inspired. But no translator can be held responsible for the feeble delineation of Madách's central figure, who in the opening scene is simply a pale reflection of Milton's Adam, and in the successive historical roles in which he appears fails to materialize. Nor can the translator be blamed for the unsound and preposterous argument with which the book concludes. In the final scene Adam, discouraged with the various ways in which mankind has tried to live and to govern itself, is on the point of leaping from a cliff. But at the crucial moment Eve appears, and by announcing that she is about to bear his child wins him back to life and hope. The lack of logic in all this is self-evident: if one is, like Madách's Adam, skeptical as to the right of the human race to endure, surely the simple biological fact that it can endure will not revive one's faith in it. Yet this is the whole moral idea behind Madách's book. It is unfortunate that so vast a conception was intrusted to so mediocre a mind; and one is forced to conclude that a mind which could bungle it so sadly in this respect must have done so in another as well—that, in short, Madách's verse in its native Hungarian must be of a quality which not even the most imperfect translation could dishonor.

HELEN NEVILLE

Microcosm

"Call Me Ishmael." By Loyd Collins. Dodd, Mead and Company. $2.

NOVELS of the sea have frequently been esteemed for the measure in which they afford the luxury of "escape." If the detail is "realistic" and the "problem" is of the simplest, they will perfectly have achieved their not very soaring purpose. From the moment the anchor is weighed the reader may be assured that the world, or a large part of it, will have been left behind. There is, however, a second and a more legitimate sense in which in a seafaring novel the world may be left behind. The conditions of a voyage—for example, in Conrad's "The Nigger of the Narcissus"—make it possible, as almost no other conditions of modern life can be said to do, for a group of characters to concentrate their attention for a period of time on the oddity of the principal figure with only such interruptions as will tend to give it greater salience. Conrad takes his readers away from the Babel of cities, not in order that they may relax, but because the nut he has to offer will be hard enough for them to crack under even the least taxing of circumstances.

The kernel of truth offered in Mr. Collins's fable, the first from his pen to be published, is even denser and tougher than that of Conrad's "Nigger." He, perhaps, has stopped short of the cloudy cosmic meanings glanced at in Melville's "Moby Dick," yet one turns to that work for comparisons as inevitably as the author turned to it for his title. If Melville's White Whale opens metaphysical vistas which only widen and deepen as it is measured and anatomized, something similar may be said for Loyd Collins's Captain Coffin, his cowed but insurgent Albert, and his Karel and Burke, twin protagonists of the drama, highly individualized figures and yet at the same time almost allegorical in their contrasting embodiments of the sanguine and the saturnine.

I am not sure this much briefer story does not raise questions almost as unwieldy as those Herman Melville essayed. The subject principally mooted has, however, been more thoroughly, or at least more intelligibly, treated. This subject is in part man versus capitalism. And if Mr. Collins, unlike certain radicals, does not feel that the Jerichos of finance are likely to be overthrown by the blast of a horn, yet the feebleness of his Albert, the duality of his Karel, the stupidity of his Malloy, the vacuity of his Otto, and the moral pessimism of his Burke, all victims of a profit system amounting to social anarchy, are treated as often with sympathy as with scorn; while Rita, struggling for victory in her brief moments of action and eloquence with the aid of such flawed battalions, is the life-principle brought to bay. Revolutionaries are often taxed with their readiness to apply force, as though in this they were unique. Those who share that illusion would do well to trace through the intricacies of the voyage of the Mindanao the movements of the Babylonian fist of the masterful Captain Coffin.

ROBERTS TAPLEY

Bergson on Religion

The Two Sources of Morality and Religion. By Henri Bergson. Translated by R. Ashley Audra and Cloudesley Brereton. With the Assistance of W. Horsfall Carter. Henry Holt and Company. $3.

THE theme of Bergson's new book is, I think, quite simple in its statement. Its root consists in the opposition between the individual who is a member of a social group devoted chiefly to the preservation of the species, and in which the individual functions as no more than a part, and the individual who exists in a society dedicated to the realization of his almost infinite potentialities as an individual. In the former instance we have what Bergson calls a "closed" society; in the latter we have what he calls an "open" one.

In the development of this theme we are presented with some instructive discussions of obligation. Moral obligation, for Bergson, is nothing other than "a force of unvarying direction which . . . insures the cohesion of the group by bending all individual wills to the same end." This is the source of morality in its first aspect. And religion in its original derivation represents for Bergson the cohesive relation of the group to the individual, just as morality represents the cohesive relation of the individual to the group. Since human beings are ruled rather by intelligence than by instinct, and since, in its source, intelligence is a kind of dissolvent power directing itself to the individual rather than to the group without which the individual cannot exist and emphasizing the self at the expense of the group, it becomes necessary for nature to limit the power of intelligence; else both group and individual would perish together. Hence nature makes use of intelligence to combat intelligence, of which peculiar struggle religion in its first phase is the product. "Religion is then a defensive reaction of nature against the dissolvent power of intelligence." In connection with this thesis we find an acute discussion of the primitive mind and we find also another instance of Bergson's celebrated anti-intellectualism. It should be said, however, that Bergson's use of language has been somewhat unfortunate in its consequences. Bergson, though he protests the contrary, is no more the anti-intellectualist than Aristotle. Actually it is the grammarian to whom he objects—that mind which feeds upon the surface effects of other minds, which owns its perfection in the repetition or the mere verbal analysis of things previously spoken. But for Aristotle as much as for Bergson the full and perfect activity of the mind supposes a prior insight. Bergson, more poetic or perhaps more vague than Aristotle, would name this insight emotion; but from his meaning it is difficult to infer a conflict.

There is little need here to linger upon the remainder of Bergson's work. It is sufficient that morality and religion in their second phase are opposed to morality and religion in their first. Just as the one derives from the group or from the needs of the group and the individual in relation to the group, so the other preeminently derives from the individual,

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and has its end in the realization of the individual. But, he warns, the individual realizes himself in action rather than in contemplation. Thus Bergson concerns himself with a defense of Christian mysticism. For in the Christian mystic, he holds, is to be found that final consummation of love where, since all men are embraced in one unity of love, the final end must of necessity consist in action. It is in action alone that the object of love is attained.

In a brief review there is no space to touch upon Bergson's acute observations or upon his elegant use of metaphor and simile; but they are present, and the reader may find some joy in their private discovery.

LINCOLN REIS

What Now?

Negro Americans, What Now? By James Weldon Johnson. The Viking Press. $1.25.

THIS book merits serious consideration, not because it offers any original or profound reflections upon the question which it raises, but because the author probably has greater prestige among Negroes and enjoys greater authority among the whites as a spokesman for his race than any other Negro in America today. Mr. Johnson proposes in this little book, which is addressed primarily to his own race, to "lay down certain lines along which a program may be worked out" by Negroes in the present semi-chaotic state of the world. Instead, however, of indicating the significance of the "state of semi-chaos" for the Negro, he discusses the four choices which lie before the Negro in the present crisis. These four choices are exodus from America, the use of physical force, revolutionary activities, and the choice between isolation and integration into American life.

We need not consider the author's discussion of the first two choices, for they are the trite reflections which have been current among Negroes for more than half a century. In his discussion of the relative merits of a policy of racial isolation and one of integration into American life, the author shows no understanding of the forces in American life which are fostering the development of nationalistic sentiment or the more fundamental economic forces which are making isolation impossible. It appears from the author's statements that the Negro can deliberately choose one or the other course. The discussion concerning revolutionary activity on the part of the Negro is of interest partly because of its incredible naivete, but more especially because it reflects the attitude of the small Negro middle class, which looks at the Negro's plight from the point of view of its own immediate advantage. The author's argument runs as follows: Communism is simply a change in the form of government, and since American Communists will be the same white people with their traditional prejudices, the Negro will have the same status. But, of course, if America "should turn truly communistic," then race prejudice would disappear. However, the Negro may suffer as he does at present, for America has never adopted real democracy or real Christianity. Moreover, since America is more likely to become fascist than communist, and Negroes have lived under a kind of fascism in the South, conditions won't be worse for Negroes. Therefore Mr. Johnson admonishes the Negro to persevere "under whatever form the government might take."

The Negroes who are advised to "persevere" can scarcely be the starving share-croppers of the South. They are, of course, the middle-class Negroes who enjoy through philanthropy or some other fortunate circumstance a relatively high standard of living. This is the same group of Negroes whose social evaluations have become so perverted that ceremonialized contacts with whites at interracial teas stand out as great achievements in solving the problems of the Negro. In spite of the author's professedly realistic attitude, he does not hesitate to preach to the Negro press and church. As a sample of these naive preachments I may cite the author's wish that the Negro minister show "the same degree of intelligence, zeal, and singleness of purpose with which the Catholic clergy works for the advancement of those who practice the Catholic faith."

The future of the Negro race would be dark if its most articulate and intelligent members accepted the philosophy expressed in this book and were unwilling to venture in their thoughts and actions beyond what is safe and respectable. But, fortunately, the very class for whom Mr. Johnson would be a mentor, Negro college youth, is showing signs, as in the recent gathering at Raleigh, of a courageous and intelligent attitude toward the fundamental problems of the Negro masses.

E. FRANKLIN FRAZIER

The New Education

Education in a Changing World. By W. B. Curry. W. W. Norton and Company. $2.

IN the days before the education of children came under the criticism of the modern psychologist the motto which guided educators was, "As the twig is bent the tree's inclined." But the philosophy of the "new education" finds that the forcibly inclined tree is not a desirable end, and consequently favors as little pressure as possible. Far better merely to foster its natural bent, to allow its natural capacities full freedom. Mr. Curry's "Education in a Changing World" is, if not another argument, at least another book, in favor of the newer view.

But the new education is no longer in its infancy; it is a series of principles that have been mulled over and to some extent practiced for a respectable number of years now, and the American reader is likely to find this new book full of extremely familiar arguments. It is significant of the pace at which we move nowadays that the ideas which twenty-five years ago were revolutionary sound at present dangerously like platitudes. This impression is strengthened on reading Mr. Curry's book, because it was written not for an American but for an English audience, and the British system of education is notoriously more bound by tradition than ours. Thus it is almost quaint (shades of Dickens!) to find pages devoted to arguments that the practice of caning should be abandoned.

But if Mr. Curry's old arguments do not shine with any new light, his book has at least the virtues of consistency and simple statement. Starting from the premise that the surest road to social reform is to make the school a microcosm of the world, not as it is but as we should like to have it, he pursues the resultant principles to their final conclusion. Because free competition, international and industrial, has brought the world to such a pretty pass, he would have competitive games of all sorts excluded from the activities of children; however the war was won, it was *made,* according to this view, on the playing fields of Eton. From the psychological aspect, too, he feels that competition is injurious, resulting in an insuperable handicap to the unaggressive child, distorting the purpose and meaning of education. "All educational activity is worthless in which the factors of interest and of voluntary activity are not involved, and the introduction of such irrelevant incentives as marks and competition is merely a way by which incompetent teachers are able to evade their responsibilities." It will be noted to the author's credit that he does not pull his punches. And it is only occasionally that his con-

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sistency takes him out on such thin ice as this: "A surgeon, for example, may be gratified by rising in his profession, but when he is actually removing an appendix his attention is presumably upon the appendix and not upon the inferior skill of other surgeons." The competitive element that has accompanied the surgeon's training is not to be quite so easily disposed of. The purely disinterested surgeon may exist, but it is no reflection on his more human colleagues to allow them a large measure of personal pride in their skill.

What one demands now from books in this field is not a mere bare statement of principles that are, in outline at least, accepted by all liberal educators, but an elaboration of the details, the difficulties that impede their actual practice; and these Mr. Curry has, in his otherwise admirable consistency, either shirked or glossed over. This is especially deplorable in one who, as a headmaster of long standing both here and in England, might have been expected to give special enlightenment to these practical problems. LOUIS J. HALLE, JR.

Shorter Notices

No Traveller Returns. Joseph Auslander. Harper and Brothers. $2.50.

One book of Mr. Auslander's lyrics is very much like another. Love and beauty are his favorite themes. He is facile and graceful, but there is very little in his work that is distinctly his own, almost nothing that is authentic poetry. His verses are of the stuff of poetry—phrases, images, rhythms—and they sound like poetry to the casual reader, but any student of poetry will perceive that Mr. Auslander is an academic verse-writer and not much else. Technically he has skill, but his lines are over embroidered, his phrases over pretty, his emotions thin and usual.

Contemporary Biography. By Mark Longaker. University of Pennsylvania Press. $2.50.

Having in a previous volume surveyed English biography in the eighteenth century, Mr. Longaker now takes a look at the contemporary product and discusses its types and tendencies as exemplified by Lytton Strachey, Gamaliel Bradford, André Maurois, Philip Guedalla, Hilaire Belloc. This careful, well-written book, full of information and analysis, is on the whole disappointing. The author is too gentlemanly and well balanced, too anxious to give even the devil his due. Even though he scatters remarks which are devastating in content if mild in form where they are most needed—for instance, in the chapters on Bradford and Ludwig—he nullifies the effect by his strained efforts to find something good to say, at least one work which is truly excellent. Some, not all, of the things he praises are good, but they are worth mentioning only because the author's point of view is not fundamental enough, his standards not sufficiently rigorous. Ludwig is not a biographer but a high-pressure salesman. This, it is true, is brought out by sly quotations. But after having by quotation and comment shown us the blatant and tasteless charlatan, the author proceeds to "evaluate" him as a biographer. "Ludwig's 'Napoleon' is undoubtedly of great biographical worth." It is, however, a comfort to find the much-inflated reputation of Gamaliel Bradford pricked, for even though Mr. Longaker gradually blows it up again, yet in the end it is a smaller balloon than it was before. The spell which Mr. Bradford's superficial and shoddy work has cast seems largely accounted for by the fact that he was a charming invalid (the R. L. S. tradition). The ridiculous claims he made for it have been too uncritically accepted. His work had two fundamental aspects neither of which have anything to do with biography. It was the mental

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therapy and escape which a sick man devised for himself and it was the Boston Back Bay version of mass production of fake psychology. Bradford's messing about with the souls of all the world, his producing them in batches and categories—lost, found, damaged, wives, females, or whatever they were—is nauseating. In his sluggish meandering style Mr. Longaker finds "no intellectual or literary brilliance," but "restraint, clarity, refinement, structural beauty"; also, that his "benevolence to mankind may have revealed a share of the larger truth of human nature." Mr. Longaker's benevolence does not reveal any of the larger truths of biography, though in a competent and pleasant way he reveals many small ones.

A History of the Roumanians. By R. W. Seton-Watson. Cambridge University Press. $7.

In this volume of some six hundred pages Professor Seton-Watson, whose authority has long been recognized in England and elsewhere, undertakes to trace the history of the Rumanians from Trajan to Trianon—a period of about nineteen hundred years. While he has not set out to write anything new or startling, his book has value as a highly readable story of one of the most interesting countries in Europe's crazy corner. Besides being edified by Rumania's exciting drama, the reader of this book may draw two conclusions. One is that sometimes nations are evidently subject to the law of the survival of the least fit. Despite the author's obvious attempts to be kind to his subject, it is clear from his narrative that Rumania's heritage of corruption and inefficiency from Turkish times has not been a bar to its accumulation of a large selection of territories. The second conclusion is that one may be a highly rated historian without having a balanced temper. Seton-Watson has two King Charles's heads which he keeps displaying in this book: Hungary and international Jewry. Much of what he writes about the crude nationalism of the Hungarian ruling classes before the war is of course true, but if a historian goes so deeply into this aspect of the problem he ought to draw a parallel picture of the crude nationalism of which the Hungarian inhabitants of Rumania have been the victims since the war. What Professor Seton-Watson writes about the Alliance Israelite and the Jews in general is worthy of any Nazi. It seems a pity that such blemishes should mar an otherwise ambitious work.

Mechanization in Industry. By Harry Jerome. National Bureau of Economic Research. $3.50.

This book undertakes to explore one of the most important fields in the whole range of economic and social phenomena. The depression is teaching us what we might have learned before, that the prevailing mode of production has everything to do with the cultural picture. Every page of this study gives evidence of industry and sufficient expenditure of research funds, but the result is disappointing. The materials are poorly organized and awkwardly presented. The smelting process was imperfect, and much of the gold remains in the ore. At the same time, more aspects of the problem have been considered than in any other single work, and the reader who simply *has to* make something of it will not go unrewarded. It is impossible in this place to give a summary of the book. Its scholarship is circumspect, too circumspect. The author often does not see the forest for the leaves. He "does not find convincing the evidence or theoretical arguments sometimes advanced to demonstrate an inherent tendency for mechanization to create an ever larger permanent body of unemployed." The reader would be interested to see this statement expanded. Professor Jerome makes no mention of the technocrats. He does not sufficiently consider whether the technological unemployment of recent years, coupled with the loss of markets, has not produced a situation so different in degree as to be different in kind from what we knew before. The effects of the introduction of machinery would seem to be progressive. We begin to realize that we are not simply eliminating workers, but are eliminating work itself.

Scenes from the Mesozoic. By Clarence Day. Yale University Press. $2.50.

In this handsomely printed volume are collected those recent bits from the *New Yorker* and elsewhere in which Mr. Day has slyly attributed to prehistoric times the foibles and vices of human nature. His comic but eerie verse and pictures are too well known to need description, and perhaps the only thing really necessary to say is that—unlike a great deal of satire—they are as amusing in quantity as they are one by one. The neat epigrammatic lines beautifully supplement the simple but accomplished line drawings. There is a hint of Blake in the apocalyptic sketches, and it is sometimes hard to say whether the verses are flippant or despairingly beyond good and evil.

Chosen Poems. By Harriet Monroe. The Macmillan Company. $3.

In her latest volume Miss Monroe shows a certain sincerity and some knowledge of prosody; her interest in a wide range of subjects is undeniably genuine, and she can manipulate metrical effects and rhyme schemes with considerable skill. But her poetry nowhere attains that individual distinction which would entitle it to a place of its own. This volume includes the Ode written for the World's Columbian Exposition in 1892, some war poems, and others of a more personal nature.

Films

By Any Other Name

AT last the fruits of the efforts of the League of Decency and the other organizations of a hygienic order which one heard so much about earlier in the season are to be observed by the careful follower of the Hollywood cinema. The gangster film, with its deplorable influence on young and old, has been permanently abolished. In its place now we are having a succession of pictures which, while equally exciting in every respect, are designed to instil into the American public a better appreciation of one of the most important services of its government. This new type of picture endeavors to be informative in content, patriotic in intention, and altogether wholesome in effect. It is only by the merest coincidence that the featured player of the first in this new series, "G Men," is the well-remembered hero of "Public Enemy" and other unsavory classics of an older and less regenerate day. The public is expected to realize that despite whatever associations it may have with James Cagney a great change has taken place in its taste in entertainment. It is not the fox but the hounds which are now the center of interest. The gallant and scientifically trained agents of the Department of Justice replace the gunman and his moll as models for American youth. At least this is the assumption.

"Let 'Em Have It" begins with a brief account of the preliminary education of a Department of Justice agent: the study of clues under the microscope, the practice at sharpshooting, the paleontological reconstruction of criminals by means of footprints, teeth marks, and the rest. All this is highly instructive, if only mildly interesting from a dramatic point of view. But since the graduates of this school must give a practical exhibition of their learning, the picture is very

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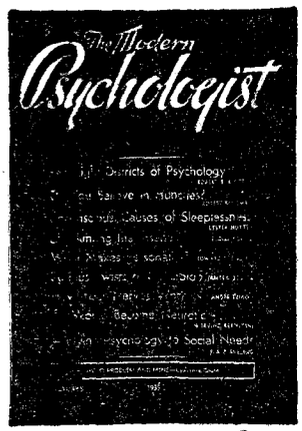

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soon turned over to the exploits of an itinerant killer of the Dillinger type. We are immediately required to assist at a kidnapping, a jail break, several bank robberies, and three of the most cold-blooded murders that have ever been visualized with the unblinking realism of the screen. The ex-chauffeur who kills the younger brother of the woman employer who has got him out of prison is surely the meanest bad man in all the annals of Hollywood turpitude. Next to him Little Caesar and Mr. Cagney's tough guys seem, in retrospect, to have been soft-hearted weaklings. It is this inhuman detachment which is brought out in what is undoubtedly the most horrible sequence of all, the one in which the gangster chief, after forcing a facial surgeon to perform an operation to change his features, leaves him sprawled dead among his instruments and bandages. For violent excitement and sadistic appeal all this section of the film, which constitutes about three-fourths of the whole, is not surpassed by the goriest masterpiece of the unpurified era. But the producers have not completely forgotten their high moral and patriotic intention. At the end the bravest of the government agents does catch his man—although only after forcing a confession by an ungentlemanly trick—and does marry the persecuted Washington heiress.

Of course what Hollywood is trying to convince us of these days is the utter falsity of the notion that the odor of a rose cannot be affected by a change of nomenclature. It is very successfully taking the wind out of the sails of those who have objected to the films on moral and social grounds. For patriotism is an end which still, especially to the pure of heart, justifies any means. What this newest subterfuge once again establishes is the futility of all efforts at reform in an industry as powerful and resourceful as the one whose capital is in Hollywood, California. It confirms the belief of this column, expressed on more than one occasion, that reforming the films is one of the least satisfactory modes of relief open to a nervous society.

WILLIAM TROY

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